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*a diachronic and synchronic study of legal theses written by PhD students at LSE between
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Changing Voices: a diachronic and synchronic study of legal theses written by PhD students at LSE between 1925 & 2015

Alison Jane Standring

A dissertation submitted to the University of Bristol in accordance with the requirements for award of the degree of Doctor of Education in the Faculty of Social Sciences and Law

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Abstract

Genre analysis has informed EAP (English for Academic Purposes) research and pedagogy since the 1980s and has been vital to understanding how discourse communities use rhetorical structure and lexico-grammar for communicative effect. However, most analysis has been of research articles rather than student-produced texts like PhD theses and, where analysis of PhD theses has taken place, it has not been in the field of law. Moreover, while increasing attention has been paid to the social contexts shaping genres, few EAP researchers have taken a diachronic perspective and thus genres are not fully understood as historically-developed and continually changing.

In this dissertation, I conduct a diachronic and synchronic study of legal theses written by PhD students at LSE between 1925 and 2015. More specifically, I compare a corpus of ten theses written between 1925 and 1938 with a corpus of ten theses written between 2014 and 2015. Focusing on the thesis introductions, I use a mixture of discourse analysis and corpus analysis, to analyse three areas: rhetorical structure, writing style and use of literature with the aim of examining what changes, if any, have taken place. To complement my textual analysis, I also examine the disciplinary and institutional contexts and use a combination of surveys and semi-structured interviews to obtain insights from PhD supervisors and students in the Department of Law. As such, my dissertation is grounded in an EAP approach to genre analysis but differs from typical approaches by containing a diachronic dimension.

My results demonstrate that diachronic change has clearly taken place. The overall trend is toward longer introductions with a greater focus on presenting the research; a writing style which is less readable but more engaged; and use of a far greater quantity of literature in a more integrated manner. By showing that PhD theses are a complex genre exhibiting both inter- and intra- disciplinary differences, I underscore the importance of genre-based approaches celebrating individuality as well as homogeneity, and by taking a diachronic perspective, I provide an insight into how texts are affected by context in the belief that understanding how genres *have* evolved makes teachers and students better equipped to cope with how they *will* evolve. My research contributes to existing knowledge in that, to my knowledge, a synchronic analysis of PhD legal theses has never been conducted, nor has a diachronic analysis of PhD theses in any discipline.

For my husband, Colin, and daughters, Annabel and Julia. Thank you for
your love, patience and support.

Author's Declaration

I declare that the work in this dissertation as carried out in accordance with the requirements of the University's *Regulations and Code of Practice for Research Degree Programmes* and that it has not been submitted for any other academic award. Except where indicated by specific reference in the text, the work is the candidate's own work. Work done in collaboration with, or the assistance of, others is indicated as such. Any views expressed in the dissertation are those of the author.

SIGNED: Alison Standring

DATE: 23rd September 2019

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Chapter 1: Introduction

1.1 Background to the research

Globalisation has driven a dramatic expansion in the number of overseas students studying at universities in the UK. In 2017/18, for example, there were 339,474 full-time postgraduates studying in UK universities, 54 percent of whom were overseas students (HESA, 2019). By contrast, in 1920, the total number of postgraduate students awarded higher degrees, home and overseas, was only 703 (Bolton, 2012). Not only have overseas students increased in number, they have also increased in economic importance. As an illustration of this, in 2014/15, overseas students generated more than £25 billion for the UK economy and their fees represented over 14% of total university income (Universities UK, 2017); prior to 1967, on the other hand, all overseas students paid the same fees as home students and so were effectively subsidised out of public funds (Bolsmann & Miller, 2008). Notwithstanding attempts to curb immigration by clamping down on student visas (Guardian, 2016) overseas students are also seen as vital culturally and socially. As the Russell Group states *“Overseas students are indispensable for world-class universities. They contribute to a diverse student body and a thriving society, culture and economy –on campus, in local regions and across the whole UK.”* (Russell Group, 2017).

One of the challenges overseas students face when coming to study in the UK is language. For example, in a survey of 177 pre-masters students at Glasgow International College, 52% identified language as the single biggest barrier to adapting to a new academic culture (Murphy, 2018). As a result, almost all universities in the UK now provide English language support in the form of English for Academic Purposes (EAP). I am one of the many EAP teachers working in tertiary education and I currently work at the London School of Economics and Political Science (LSE) which is highly international: overseas students comprise around 50% of undergraduates and around 80% of postgraduates (LSE at a glance, 2019). Indeed, in a recent speech, the Director of LSE, Minouche Shafik, claimed that LSE *“is the most global university in the world”* (Shafik, 2019). A core part of the EAP support we provide is for academic writing as this tends to be the skill on which most assessment is based. As such, I teach classes on essay writing, exam writing, dissertation writing and, most recently, thesis writing, the focus of this dissertation.

1.2 Focus of the research

In this research, I conduct a diachronic and synchronic analysis of the introductions of ten legal theses that were written in 2014/2015 and ten theses that were written between 1925 and 1938

by doctoral students at the London School of Economics and Political Science (LSE). At the heart of this research is the desire to develop a better understanding of academic writing so that I can become a more effective EAP teacher. My reasons for choosing the particular focus of this dissertation are outlined below.

Firstly, writing theses is challenging for most students, arguably even more so for students who are non-native speakers (NNS) of English (Cadman, 1997). Departmental guidelines are of limited help as students and supervisors often have conflicting ideas about what is meant by 'incisive argumentation' or 'clear and logical structure' (Lea & Street, 2009). Similarly, while there are many books about 'how to write a thesis' the focus is often on process (e.g. choosing a research question) or structure (e.g. how to divide the thesis into chapters) not on linguistic choices in areas such as writer identity or constructing stance (Charles, 2006a & 2006b; Hyland, 2004). Style manuals provide guidance but can give conflicting advice over issues such as whether to use passives, and usually treat academic writing as if it were a single entity (Bennett, 2009), ignoring disciplinary variation, and being guilty of proffering a rigid and over-simplified model (Kanler & Thomson, 2008). This is also true of EAP textbooks and materials, which often promote a view of academic English as objective, rational and impersonal and emphasise 'common core skills' such as describing, summarising and expressing causality, ignoring context and variation (Hyland, 2004). And, even the best instructional texts "*do little for experiencing or reflecting*" (Wingate, 2006, p. 458).

Secondly, notwithstanding the innumerable guidebooks and manuals about thesis writing, little linguistic analysis has been done of PhD theses. According to Bunton (2002), this is partly because theses are so long and partly because people usually only write ONE thesis and thus never really need to 'master the genre'. Research articles have been analysed extensively but theses are a different genre. They have different aims and there is a different relationship between writer and readers. Some research has focused on doctoral theses. Examples include: Thompson who looked at macrostructure, citation practices and uses of modal verbs (Thompson, 2001), intertextual references (Thompson, 2005), and stance and voice (Thompson, 2012); Bunton who analysed generic moves in PhD introductions (2002) and conclusions (2005); Soler-Monreal who contrasted the rhetorical organisation of English and Spanish PhD theses (Soler-Monreal et al, 2011); Kwan who looked at the schematic structure of literature reviews (Kwan, 2006); and Kawase who looked at meta-discourse in the introductions of PhD theses (Kawase, 2018). However, legal theses, which are the focus of my dissertation, do not appear to have received much attention at all.

Thirdly, I have chosen to focus on legal theses because I teach students from the Department of Law and there is evidence to suggest that “*disciplines have different views of knowledge, different research practices, and different ways of seeing the world*” (Hyland, 2018, p. 390). As Bhatia says:

Although it is economical, convenient and cost-effective...to look for an academic core in disciplinary discourse, it could be less effective and counter-productive in a number of ways to ignore the sophistication and subtleties of variations across disciplinary boundaries” (Bhatia, 2002, p. 39).

When it comes to recognising disciplinary differences, many researchers employ broad categories. For example, Bunton (2002), whose research was mentioned earlier, treats all social sciences as a single category. As all the departments at LSE come under the umbrella term of social science, an argument could thus be made for not differentiating between them. Nonetheless, my experience indicates that a thesis in law differs from a thesis in philosophy, economics or international relations. I therefore think it is mistaken to treat social sciences as a single discipline. Indeed, there could be an argument for being more specific than ‘legal theses’; Law at LSE spans a wide range of areas and there are significant differences between, for example, Human Rights Law, Taxation Law and Corporate Law. However, if I had tried to be more specific, I would not have been able to find sufficient texts to analyse and, although we take a departmentally-specific approach to teaching academic English at LSE, we are not able to be more specialised than that. Thus, by focusing on legal theses, I mirror the reality of EAP in my institution.

Fourthly, I have chosen to focus on introductions for a number of reasons. For practical reasons, I could not examine the complete theses in detail: converting the documents into .txt documents for corpus analysis was extremely time-consuming; copyright rules prohibited me from copying more than 10%¹ and, while corpus analysis lends itself to processing large quantities of data, move analysis does not and, as this dissertation blends methods, focusing on a section of the theses was more realistic than attempting to analyse the full theses. I focus on introductions rather than another section of the theses for several reasons. One is that legal theses tend to follow a loose topic-based structure, rather than a traditional Introduction, Methods, Results, Discussion (IMRD) structure (Paltridge, 1994; Thompson, 2016), and the introduction is usually a clearly identifiable section, unlike other sections. Another reason is that writers purportedly find the introduction one of the most difficult sections (Bunton, 2002). As Swales states,

¹ At LSE, theses written prior to 1962 can only be copied with the written consent of the authors which, given the age of the theses, would have been difficult, if not impossible, to achieve.

Introductions are known to be troublesome...The opening paragraphs somehow present the writer with an unnerving wealth of options: decisions have to be made about the amount and type of background knowledge to be included; decisions have to be made about an authoritative versus a sincere stance...; and decisions have to be made about the directness of the approach (Swales, 1990, p. 138)

An additional reason is that genre research has often focused on introductions, thus the literature contains research frameworks to learn from and findings about other genres or disciplines which can be used for comparison.

A final reason for conducting this research is that, although I am persuaded by the value of genre analysis for teaching academic writing, I also recognise its limitations. One of the critiques that is levelled at the field of EAP is that it:

...can easily lead to a teacher-centred prescriptivism and an overly rigid focus on certain genres, forms and tasks at the expense of others. This straitjackets creativity, encourages a dull conformity to convention and promotes a static, decontextualized pedagogy (Hyland 2018 p. 387, citing a criticism from Huckin, 2003).

I believe such ‘prescriptivism’ is partly due to a failure to recognise that genres “*are inherently dynamic, [and] constantly (if gradually) changing over time in response to the socio-cognitive needs of individual users*” (Berkenkotter & Huckin, 1995, p. 483). There are some signs this is changing. For example, research has been conducted into how genres vary according to academic discipline (Hyland, 2001; Bunton, 2002) and there is a move towards teaching English for Specific Academic Purposes (ESAP) rather than English for General Academic Purposes (EGAP) (Flowerdew, 2016). Research has also been conducted into how genres vary according to culture or language (Cadman, 1997; Owtram, 2010; Soler-Monreal, Carbonell-Olivares, & Gil-Salom, 2011), although this seems to have had less impact on the EAP classroom. Until recently, however, there has been little research into how genres have evolved over time, which is the focus of this dissertation – exceptions include Atkinson (Atkinson, 1992; 1996); Bazerman (1988); Berkenkotter and Huckin (1995), Biber and Finegan (1989) and Hyland and Jiang (2016a; 2016b; 2017a; 2017b; 2018).

1.3 Research questions

The broad research questions asked in this dissertation are what, if any, changes have occurred in three main areas: the structure and themes of thesis introductions (Chapter 5); the writing style(s) employed (Chapter 6); and the use of literature (Chapter 7). I have chosen to focus on these three areas because, in my experience, they are of interest to students; they almost always form part of the syllabus for EAP writing courses; and they are often presented as universal and static rather than context-dependent and changing. Within each of the three areas, I ask more specific questions such as: has the length of introductions changed, has the way writers engage with readers changed and has the use of quotations changed? These questions can be found in the relevant chapters.

1.4 Contribution to knowledge

My contribution to knowledge is three-fold. Firstly, as stated in Section 1.2, compared to research articles, there has been little linguistic analysis of PhD theses, despite their central place in academia and, to my knowledge, there has been no analysis specifically of legal theses. Synchronic analysis of the theses written in 2014/2015 shows legal theses are distinct as a genre compared to journal articles and theses in other academic disciplines. As such it complements and contributes to the research that has been conducted on generic and disciplinary differences.

Secondly, in the field of EAP, diachronic analysis has not received much attention since Bazerman's ground-breaking work in 1988 (although recent publications by Hyland and Jiang suggest this is starting to change). There is growing recognition of disciplinary differences (and many universities, like my own, teach academic writing in a discipline-specific way), but there is far less appreciation of how discourse communities can change over time, and of how this can affect generic models. Diachronic analysis of the theses in my corpora reveal the extent to which changes have taken place in the writing of legal theses over the last 80-90 years and, as such, contribute to our knowledge of how genres evolve and are affected by their context.

Thirdly, by showing how legal theses are distinct (both from other genres and from theses written in other disciplines), and by showing how they are not static but have changed over time, I highlight the danger of treating academic discourse as "*a single and uniform entity*" (Bhatia, 2002, p. 29) and contribute to research which shows that academic writing should not be reduced to a series of linear moves and steps divorced from writing as a discursive social practice. In addition, by showing that PhD theses are a complex genre exhibiting both inter- and intra- disciplinary differences, I underscore the importance of genre-based approaches celebrating individuality as well as homogeneity.

A more detailed description of the significance and contribution of this study, tied to my research findings can be found in the conclusion. See Section 8.3.

1.5 Structure of the dissertation

The structure of my dissertation is as follows. Chapter 2 serves as a literature review. It situates my research within the field of EAP, by providing a brief history of the development of EAP as a field (Section 2.2) and outlining current EAP approaches to teaching academic writing (Section 2.3). These can be divided into three categories: study skills, academic socialisation, and critical EAP. This dissertation has been most influenced by academic socialisation approaches, a key feature of which is genre analysis. Section 2.4 thus describes different traditions of genre analysis including the ESP tradition which has had the most impact on me as a teacher and researcher and is underpinned by a social constructivist theoretical perspective. Within the ESP tradition, diachronic analysis is rare but, as it is the approach taken by this dissertation, Section 2.5 reviews other research into academic writing that has employed diachronic analysis. Chapter 2 concludes by reviewing different definitions of genre in the literature, and then specifying how genre is seen in this research and what implications that has.

Chapter 3 provides an overview of research design. As there are many ways to describe the research process, the chapter begins by outlining the framework that this dissertation uses, namely that of Crotty (1988) (Section 3.2). Using Crotty's framework, the chapter goes on to identify the epistemology (Section 3.3), theoretical perspective (Section 3.4) and methodology (Section 3.5) of this research. Section 3.6 outlines the research methods, which consist of: contextualising the genre through the use of background knowledge, textual clues and a survey of relevant literature (Section 3.5.1); move analysis (Section 3.5.2); corpus analysis (Section 3.5.3); interviews and surveys (Section 3.5.4). Section 3.6 discusses the ethical considerations that arose and Section 3.7, provides a brief conclusion to the chapter.

Having reviewed the literature (Chapter 2) and outlined the research design (Chapter 3), Chapter 4 contextualises the corpora that are analysed in this dissertation. To do this, I draw upon Bhatia's distinction between discourse as text; discourse as genre; discourse as professional/academic practice and discourse as professional/academic culture (2010). As such, having previously described the texts used to compile the corpora in Section 3.6, Section 4.2 begins by looking at the thesis as an academic genre, both broadly in academia and more narrowly at LSE. Section 4.3 focuses on the thesis in terms of academic practice, which involves describing the ethos of LSE when it was first founded and in the modern day. Finally, Section 4.4 examines the thesis in terms

of disciplinary culture, and thus examines how law, as an academic discipline, developed both in England and at LSE.

Chapter 5 turns to my first broad research question, “*Have the structures and themes of the theses changed*”? It begins with a broad survey of the texts analysed, looking at thesis structure (Section 5.2); the thesis topics chosen by writers (Section 5.3), and the length and format of introductions (Section 5.4). It finds evidence of greater standardisation, a shift from positive theory (which attempts to explain how law works in a value-free way), to normative theory (which provides a value-based view about how law should work) (Solum, 2003), and a trend for much longer introductions. After the broad survey of the text, Chapter 5, focuses on the rhetorical structure of the introductions in the corpora, concluding that there is clear evidence of diachronic change, the introductions of legal theses are distinct from those of research articles and theses from other disciplines, but while there are generic similarities between the texts, there are also differences which should not be masked by a genre-based approach.

Chapter 6 turns to my second broad research question: “*Have writing styles changed*”? After discussing why style is important (Section 6.2), it makes some initial observations on stylistic differences between the two corpora (Section 6.3) and then analyses style from the perspectives of readability (Section 6.4), engagement (Section 6.5) and stance (Section 6.6). In doing so, it does not pretend to be a comprehensive analysis. Instead, it focuses on areas of particular pertinence to EAP classrooms. As in Chapter 5, the findings reveal signs of diachronic change between the corpora. For example, readability (as judged by *Flesch Reading Ease* and *Flesch-Kincaid Grade Level*) has fallen, the use of reader engagement features has increased and, in general, writing has become more hedged. Also, as in Chapter 5, there is also variation within the corpora: further evidence that individual differences should not be forgotten by EAP teachers.

The penultimate chapter (Chapter 7) focusses on the third broad research question: “*Has the use of literature changed*”? It begins with some background information about the importance of citation and the linguistic and/or cultural differences which students can face (Section 7.2). It then focusses on bibliographies (Section 7.3) before turning to the use of footnotes (Section 7.4), the use of citations (Section 7.5) and the use of quotations (Section 7.6). As in previous chapters, diachronic change emerges, most notably a substantial increase in the length of bibliographies, the quantity and function of footnotes, the range of citations and the use of shorter quotations. Students are clearly reading more broadly but whether they are reading as deeply is less certain.

The final chapter (Chapter 8) summarises the main findings (Section 8.1), discusses implications (Section 8.2), puts forward what I consider to be the significance and contribution of this dissertation (Section 8.3), acknowledges research limitations (Section 8.4) and ends with some final words (Section 8.5).

Chapter 2: Literature Review

2.1 Introduction to the chapter

As stated in the introduction, this dissertation contains a diachronic and synchronic analysis of the introductions of legal theses that were written by doctoral students at the London School of Economics and Political Science (LSE). The research is pedagogically motivated as it is driven by a desire to have a better understanding of academic writing, in particular thesis writing, and thus be able to provide better language support for students in this area. In order to contextualise my research within the field of English for Academic Purposes (EAP), this chapter acts as a literature review. It begins with an overview of what EAP is, and how EAP approaches to teaching and researching academic writing have evolved (Section 2.2). One way to understand current EAP approaches to academic writing is to divide them into three categories: study skills, academic socialisation, and critical EAP. Section 2.3 explains how these categories differ and why this dissertation is most influenced by academic socialisation approaches, which tend to be genre-based. The chapter goes on to define genre analysis and outline the different traditions within it (Section 2.4). The genre tradition that has had most impact on academic writing in UK universities is known as the English for Specific Purposes (ESP) approach.

2.2 A brief history of English for Academic Purposes (EAP)

EAP can be broadly defined as *“language research and instruction that focuses on the communicative needs of individuals working in academic contexts”* (Hyland & Shaw, 2016, p. 1). It began to emerge as a field in the 1960s, although at this time any language support tended to be ad hoc and part-time (Jordan, 2002, p. 177). In the 1970s, EAP became more widely-spread, the term English for Academic Purposes (EAP) was coined and universities banded together to form a professional body² (Jordan, 2002). Since then, the field of EAP has continued to expand, evolving from a practical teaching approach into one which is theoretically grounded, and research informed.

Early approaches EAP approaches were heavily influenced by register analysis and had a particular focus on the grammar and vocabulary of scientific English. Example textbooks include *‘The structure of technical English’* (Herbert, 1965) and *‘A course in basic scientific English’* (Ewer

² This was called SELMOUS (Special English Language Materials for Overseas University Students). In 1989, SELMOUS changed its name to BALEAP (The British Association of Lecturers in English for Academic Purposes). In 2010 this simply became BALEAP, as a move to make the organisation more global. BALEAP remains the main professional body for EAP in the UK.

& Latorre, 1969), which have reading passages on subjects like 'Iron and Steel' followed by a study of words and language patterns, largely at sentence-level. In the 1970s and 80s, functional-notional approaches became popular. A good illustration is Jordan's textbook *'Academic Writing Course: study skills in English'* where "units focus on language functions that are used to express a particular notion or idea, e.g. description and definitions" (Jordan, 1999). The textbook also contains general advice on how to structure essays, paragraphs and reports and on skills such as paraphrasing, summarising and proofreading. During this time, the process writing movement, which was dominant in the teaching of L1 writing, was also becoming influential, marking a move away from teaching language and a move towards teaching skills and strategies.

In the 1990s and 2000s, genre approaches to teaching writing became dominant, as epitomised by the best-selling book *Academic Writing for Graduate Students*, written by Swales and Feak (1994). This used texts drawn from a wide range of disciplines to examine genres such as data commentaries, summaries, critiques and research papers. In addition to sections on grammar and vocabulary, it stressed the rhetorical nature of writing arguing all academic writers should consider the likely expectations and reactions of their readers and that, as well as making decisions about what to say, writers also have to organise texts "in ways that meet local conventions and yet create a space for [them]selves" (Swales and Feak, 1994, p. 3). The textbook explicitly avoided telling students what they should, or should not, do and instead encouraged them to uncover the conventions of their discipline for themselves. The approach taken by Swales and Feak remains extremely influential.

During the 2000s, developments in technology, and in particular the ability to easily create and analyse large electronic corpora, led to increased interest in vocabulary. A notable example is the Academic Word List (AWL), published in 2000, which has had a significant impact on EAP materials and activities. The AWL is a list of 570 'word families' (divided into 10 sub-lists) that are frequently used in academic English. It was compiled using a 3,500,000-word corpus of academic texts from four faculties: Arts, Commerce, Law and Science (Coxhead, 2000). Following the AWL, the Academic Formulas List (AFL) and the Academic Collocation List (ACL) were developed. The AFL is derived from a 2.1-million-word corpus of academic speech and writing and consists of 607 common formulaic sequences like 'in terms of' or 'on the other hand' (Simpson-Vlach & Ellis, 2010). The ACL is derived from the 25-million-word Pearson International Corpus of Academic English (PICA-E) and consists of 2,468 common collocations like 'widespread belief' or 'conventional wisdom' (Ackermann & Chen, 2013). The use of corpora to create empirically-informed materials continues to be a key feature of many EAP approaches. Also during the 2000s, disciplinary differences became a focus, with growing appreciation that an essay written in the

field of philosophy, for example, is not the same as an essay written in the field of management (Hyland, 2001).

Parallel to these approaches, although often seen as dichotomous, the academic literacies movement gained traction (Lea & Street, 2006). Academic literacies emerged to support 'non-traditional' students at UK universities rather than non-native speakers. The movement suggests a need for students to gain a deeper understanding of the communicative situations in which academic tasks are embedded and includes "*a critically driven vision of how these [conventions and practices] could be different...more richly varied and more equitable*" (Lillis & Tuck, 2016, p. 30). Some of the themes to emerge are that academic expectations are often opaque and obscure, disciplinary discourses are culturally and historically situated, identity is a significant dimension in writing and there is a need to 'open up the academy' to promote equity and diversity. Sharing a belief in the importance of equity and diversity, critical EAP theorists like Benesch (2001; 2009) and Jenkins (2007; 2009; 2014a; 2014b) emerged and condemned 'conformist EAP approaches' for imposing 'native speaker norms' on students', refusing to accept the reality of English as a global language, and setting students up to fail by imposing unrealistic standards and perpetuating the myth of native speaker superiority.

2.3 Current EAP approaches to teaching academic writing

When it comes to EAP approaches to teaching academic writing today, Storch, Morton and Thompson (2016) posit three main categories: study skills, academic socialisation and critical EAP, noting that the categories are not mutually exclusive. Study skills approaches are the most traditional and tend to assume there is a common core of generic skills, such as summarising and paraphrasing, which can be transferred between disciplines. Academic socialisation approaches, see EAP as a form of induction into academic culture via general EAP courses (EGAP) or into disciplinary discourse communities via discipline-specific EAP courses (ESAP). Finally, critical EAP approaches, as alluded to earlier, "*reject the notion of EAP as the acquisition of cognitive skills (the 'study skills approach') or the reproduction of valued texts (the 'academic socialisation approach'), and instead argue that EAP should aim to develop learners' critical literacy*" (Storch et al, 2016:480).

I see study skills approaches as flawed for at least two reasons. One is that I mostly teach postgraduate students who have been highly successful academically, and who do not usually want generic advice on how to take notes or structure an essay. Another is that study skills approaches tend to overlook disciplinary differences which can be significant. To illustrate, a student I saw recently in an office hour received a high merit for an essay she had written for a

course in International History but a low pass for a similar essay she had written for a course in International Relations (IR). Having done her undergraduate degree in history, she knew how to write 'history essays' but had not fully appreciated that there "*are real and enduring epistemological and methodological differences*" that divide history and IR (Elman & Elman, 2001, p. 35). For example, in history "*the past interests for itself*" but, in IR, history is relevant "*only insofar as it enables [scholars] to generate, test or refine theory*" (Elman & Elman, 2001, p. 7). Thus, study skills approaches are not what many students want and are in danger of overlooking what Bhatia refers to as "*the complex and dynamic realities of the world of discourse*" (Bhatia, 2002, p. 5).

When it comes to critical EAP approaches, I have mixed views. I agree that academic discourse is socially constructed and thus neither universal nor ideologically-neutral (Breeze, 2012). I also agree that students should not be expected to blindly accept rhetorical conventions, particularly if universities want to present themselves as international, which includes questioning US/UK centric norms (Benesch, 2001). However, I am wary of what I see as the more extreme critical approaches which argue that it is unethical to help students become proficient in the conventions of academic discourse because it reinforces unequal power structures (Jenkins, 2014a). Instead, I share the view that there is, "*...nothing ethically disgraceful in helping students to accommodate to, or assimilate to, the dominant academic discourses because...this as essential for academic success*" (Santos, 2001, p. 183). Indeed, rather than consolidating power divides, I would argue EAP teachers can be agents in mitigating disadvantage (Ferguson, Pérez-Llantada, & Plo, 2011, p. 56). As Bhatia puts it, "*there is no better illustration of the saying 'knowledge is power' than the one in the case of generic power*" (Bhatia, 1997, p. 362).

Overall, my approach to teaching academic writing, is best described as academic socialisation, although this term subsumes a range of EAP practices (Wingate and Tribble, 2012). I see writing as "*contextualised social practice*" (Russell, Lea, Street, & Donahue, 2009) and believe that to be a successful writer, it is necessary, not only to learn discipline-specific language, but also to understand disciplinary norms and expectations. This does not mean I am 'accommodationist'. I encourage students to have a questioning attitude, but I think disciplinary norms and expectations have to be learned before they can be challenged (Pennycook, 1997; Harwood and Hadley, 2004; Bruce, 2008; Flowerdew, 2019).

2.4 Three traditions of genre analysis

The pedagogy for academic socialisation approaches tends to be genre-based (Storch, Morton, & Thompson, 2016). Thus, this section explores genre analysis and its influence on EAP. Hyland (2004, p. 195) defines genre analysis as

...a branch of discourse analysis that explores specific uses of language...driven by a desire to understand the communicative character of discourse... [and to] employ this knowledge to support language education”.

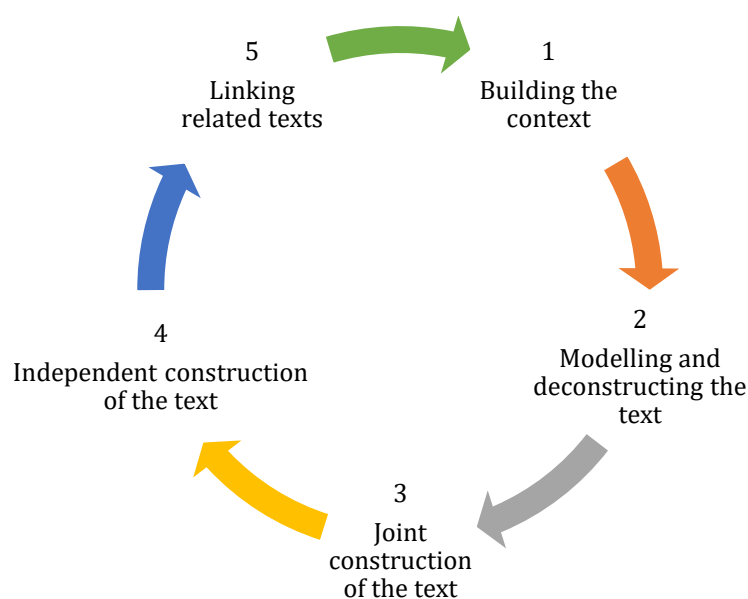
However, traditions in genre analysis vary, as do their aims and intellectual roots. Following an influential article written by Hyon (1996), it has become common to divide traditions in genre analysis into three groups: those associated with the New Rhetoric movement (NR); those associated with Systemic Functional Linguistics (SFL); and those associated with English for Specific Purpose (ESP).

The NR tradition is popular in North America and has largely focused on teaching within a first language (L1) context, which includes professional writing, rhetoric and composition at university level. This tradition sees genre as social action stating that: *“a rhetorically sound definition of genre must be centred not on the substance or the form of discourse but on the action, it is used to accomplish”* (Miller, 1984, p. 151). Consequently, the focus of analysis is social purpose and context rather than discourse structure and features. In terms of methodology, the emphasis is on ethnographic, rather than linguistic, methods for analysing texts. The aim is to generate, ‘thick descriptions’ of the academic and professional contexts surrounding genres and the actions texts perform within these situations (Hyon, 1996). Practitioners are sceptical about being able to teach genre. They argue that genres are fluid, thus static models are inappropriate; that classrooms provide an inauthentic context in which to analyse or reproduce genres; and that teaching genre may promote power inequities by privileging dominant cultures, encouraging assimilation rather than critical thought, and creating a loss of identity and agency (Villanueva, 2001). Some of these concerns are similar to those expressed within critical EAP.

In contrast to the NR tradition, the SFL tradition is concerned with genre analysis for pedagogic purposes. The tradition is dominant in Australia and is sometimes referred to as the ‘Sydney School’. It first emerged in the context of teaching English to adult migrants and was pivotal in the creation of the Adult Migrant English Language Program (AMEP), which provides over 500 hours of free language tuition to help migrants settle into Australia. The SFL tradition has also been highly influential in Australian schools, with text books in subjects like history, geography

and science explicitly teaching genres such as reports or essays in terms of typical structure (what information should appear in what order) and typical linguistic patterns. In the SFL tradition, genre is seen as a “*staged, goal-orientated social process*” (Martin, 1992 & 2009); “*social*” because it involves communication between different people; “*goal-orientated*” because it is purposeful; and “*staged*” because it usually requires several steps. SFL analysis is generally based on the theoretical framework put forward by Halliday (1975) which requires identification of: Field (the activity going on), Tenor (the relationships between participants) and Mode (the channel of communication). The primary focus of analysis is discourse structure and features. Proponents of the SFL tradition believe “*It is...important for the learners to have the patterns of texts made explicit so that they are able to produce similar language themselves*” (AMEP Research Centre, 2005, p. 3). Thus, learners are presented with a model text, which they deconstruct and then reconstruct. Teachers support students to produce new texts, gradually diminishing the scaffolding they provide as the learner becomes more independent (see Figure 1).

Figure 1: A model for sequencing activities



The ESP tradition of genre analysis shares much in common with the SFL tradition as it employs genre analysis for pedagogic purposes and has a strong focus on text structure and language use.). Within this tradition, Swales, often referred to as the “*father of genre analysis*” (Vicente, 2008, p. 154), depicts genre as a class of communicative events whose members share a set of communicative purposes which are recognised by expert members of the discourse community³,

³ See the next section for a critical discussion of this definition.

and which shape the rhetorical structure, while constraining content and style (Swales, 1990). One way in which the ESP tradition to genre analysis has differed from the SFL tradition is in terms of its target audience, namely non-native speakers who tend to be either university students or professionals. The ESP tradition has been accused of lacking the sturdy theoretical underpinnings associated with SFL because researchers have generally been more interested in pedagogy than in developing consistent or generalizable models (Breeze, 2012). However, attempts have been made to redress this, most notably by Swales (1990; 2004; 2018), Bhatia (2004; 2012; 2014) and Hyland (2004

It is the ESP tradition of genre analysis which has had the most impact on EAP. The tradition has sometimes been criticised by those who favour an Academic Literacies approach to academic writing⁴. One critique is that the ESP tradition is guilty of textual bias where disciplinary texts are seen as the only focus of research and teaching and where the wider context or identity of writers is overlooked (Lillis and Scott, 2007, p. 11). Another critique is that the ESP tradition takes a normative approach where rhetorical features are presented as guidelines and students are expected to accept established rules without challenging them and where the relationship between the teacher and student is one way with the teacher the giver of knowledge, and the student the receiver (Wingate & Tribble, 2012)⁵. A further critique is that the ESP tradition incorrectly assumes the stability of disciplines, and homogeneity of students and university culture (Wingate & Tribble, 2012).

Not all of these criticisms are fair. Swales, for example, clearly stresses that genres are not distinct independent entities and highlights the importance of social context and transience across time and geographical space, suggesting that the teaching of genre be less explicit and that generic features be negotiated through classroom discussion or reinvented in writing tasks (Swales, 2009, p. 5). Wingate and Tribble (2012, p. 487) take the view, which I share, that many of the criticisms are based on “an *insufficiently nuanced account of...EAP and...have, thereby, ignored or marginalised important contributions that have been made in this field*”. Similarly, Flowerdew argues that “*various aspects of ESP/Genre, especially corpus-based enquiries, can usefully inform the Academic Literacies approach*” (2019, p. 9).

⁴ As mentioned in Section 2.2, the Academic Literacies approach stemmed from efforts to help ‘non-traditional’ students in higher education in the UK (Flowerdew, 2019). It is not one of the three traditions of genre analysis identified by Hyon (1996) but it has had a notable impact on EAP.

⁵ NB: Wingate and Tribble (2012) describe the critique; they do not make it.

To sum up, there are different traditions of genre analysis: the NR tradition, which has largely focused on teaching within a first language (L1) context; the SLF tradition which emerged in the context of teaching English to adult migrants and has been highly influential in Australian schools; and the ESP tradition of genre analysis which has generally targeted university students or professionals within a second language (L2) context. The last of these (the ESP tradition) has had the most impact on teaching academic writing in EAP settings but has sometimes been criticised by the Academic Literacies movement, which stemmed from efforts to help ‘non-traditional’ students in higher education in the UK and, according to Swales (2012), should perhaps be added to the Hyon’s categories. The traditions differ but they can also inform one another. As McGrath and Kaufhold (2016, p.16) put it, “*academic writing practitioners should feel encouraged to step outside of their ‘conceptual boundaries’ (Lillis and Tuck 2016, 39) and explore what other academic writing models could contribute to their practice*”.

2.5 Diachronic analysis

Within the ESP tradition of genre analysis, synchronic analysis is most typical. This is when a genre is considered at a particular moment, usually in the present, without considering ways in which the genre may have evolved. In contrast, diachronic analysis “*typically examines a single genre over an extended period that includes moments of important change, such as the formation of an organizational body, an epistemological shift, or the advent of a new technology*” (Tardy & Swales, 2014, p. 170). As such, it recognises that genres are not frozen in time. Until recently, very little diachronic analysis has been carried out in the field of EAP. This is surprising given the dynamic nature of genres and that, as Shaw states, “*genres are constrained not only by the needs of the present situation but also by the historic establishment of the genre*” (Shaw, 2016, p. 247). Having said this, Swales began his influential analysis of research articles by outlining “*episodes in the history of the research article*” (1990, 110-117). When doing so, he made frequent references to a seminal, and pioneering, piece of research of diachronic research carried out by Bazerman (1988).

Bazerman, who taught writing in an American university, wanted a better understanding of how writing works “*socially, historically, philosophically and psychologically*” (Bazerman, 1988, p. 9). In order to do this, he carried out two diachronic studies. In the first diachronic study, he examined the evolution of the experimental report, using ‘*The Philosophic Transactions of the Royal Society of London*’, which was the first scientific journal in English. He followed the development of the genre from the founding of the journal in 1665 until 1800 and observed how experimental articles evolved from making uncontested reports of events to arguing over results, then exploring the meaning of unusual events through discovery accounts, and finally making

claims and offering experimental proofs (Bazerman, 1988, p. Chapter 3). In his second diachronic study, Bazerman examined the evolution of the *Physical Review*, an American science journal, from 1893, when it was founded, until 1980 (Bazerman, 1988, p. Chapter 6). He found a number of changes in the scientific articles including: increased length; a significant difference in the amount, pattern and function of references; and a shift in the overall structure wherein methods sections decreased, and introductory sections expanded. He attributed these changes to the context in which the texts were produced and to changes in the epistemology of science and in the scientific community more broadly.

Atkinson (1992; 1996) also conducted diachronic research into the evolution of scientific writing. In 1992, he examined the evolution of medical research writing from 1735 to 1985 by using research articles from the *Edinburgh Medical Journal*, concluding that, “*the evolution of medical research writing has been a gradual and continuous process, rather than a series of changes based on revolutionary and drastic ‘paradigm shifts’*” (Atkinson, 1992, p. 363) and can be accounted for “*on the basis of the changing epistemological norms of medical knowledge, the growth of a professional medical community, and the periodic redefinition of medicine vis-a-vis the non-medical sciences*” (Atkinson, 1992, p. 337). In 1996, Atkinson used a corpus of articles from the *Philosophical Transactions of the Royal Society of London* to examine the evolution of scientific research writing from 1675 to 1975. He found that, in the 17th and 18th centuries, research writing was heavily influenced by the communicative norms of gentlemanly conduct; in the 19th century, greater attention began to be paid to methodology and precision; and, by the late 20th century, experiments and methods sections became secondary to expanded theoretical discussions.

More recent examples of diachronic research include Ayers (2008) who analysed abstracts that appeared in the journal *Nature* from 1991 to 2005 and found, among other things, changes in the structure of the abstracts, such as the removal of information on methods, and increased use of emphasis on how the studies contribute to knowledge. Ayers attributes these changes to the journal moving online and to technological advances in the field of science. Another fairly recent example is the work done by Gillaerts and Van de Velde (2010). They analysed ‘interactional metadiscourse’ in research article abstracts which appeared in the *Journal of Pragmatics* over three decades and found that, “*On the whole, the degree of interpersonality realised by hedges, boosters and attitude markers diminishes over time*” (Gillaerts & Van de Velde, 2010, p. 128). They attributed this to ‘*a converging move of (applied) linguistics toward the hard sciences*’ (Gillaerts & Van de Velde, 2010, p. 137) and/or “*a shift in rhetorical ethos*” such that scholarly credibility has

come to be established by “*a deliberate, cautious expression of scientific claims, rather than by the authoritative stance of an ‘omniscient’ academic*” (Gillaerts & Van de Velde, 2010, p. 137).

Most recently, Hyland and Jiang have published a series of diachronic studies all drawing on a corpus of 2.2 million words, taken from the top five journals in four disciplines (applied linguistics, biology, engineering and sociology) at three distinct time periods (1965, 1985 and 2015). Many of these articles are referenced later in this dissertation. As a brief overview, they include: a ‘diachronic study of academic engagement’ (Hyland & Jiang, 2016b); a ‘diachronic study of stance’ (Hyland & Jiang, 2016a); ‘changing patterns of academic citation’ (Hyland & Jiang, 2017b); an investigation into whether academic writing is becoming more informal (Hyland & Jiang, 2017a) and, most recently changing patterns of disciplinary meta-discourse (Hyland & Jiang, 2018). In all cases they find change and disciplinary differences.

Notwithstanding the examples above, diachronic analysis is much rarer in the field of EAP than synchronic analysis and, to my knowledge, diachronic analysis has never been carried out on PhD theses. All the instances above have examined diachronic change in published journal articles, not student-produced texts.

2.6 Defining genre

So far, this chapter has given a brief overview of the development of English for Academic Purposes (EAP) and has outlined current EAP approaches to teaching academic writing including genre analysis. Section 2.3 described how there are different traditions of genre analysis with different pedagogical purposes and argued that the ESP approach (which has been most influential in EAP) is strengthened by insights from other traditions. Section 2.4 made the point that, diachronic analysis is not typical approach of the ESP approach to genre analysis but has a place. This section takes a closer look at what ‘genre’ means in the context of this dissertation and how it has shaped the research and interpretations.

The word ‘genre’ comes from French and can be roughly translated as meaning ‘type’, ‘nature’ or ‘kind’. As such, ‘genres’ can be seen as a way categorising films, music, literature or, in this case, academic writing (English, 2011). The ‘genre’ I am interested in in this research is the PhD thesis. More specifically, the PhD thesis written in one academic discipline (law) and at one institution (LSE). However, understanding the PhD thesis as a ‘genre’ requires more than understanding the ‘surface-level properties’ of the written text (Bhatia, 2004, p. 21-25). This is reflected in the fact that all of definitions of ‘genre’ in Section 2.4 have a social dimension. As Tardy states, “*most rhetoricians would distinguish genres by the rhetorical action they aim to carry out rather than by*

their textual form" (2016, p. 7). Thus, in the New Rhetoric (NR) tradition, genre is seen as *social action* (Miller, 1984). In the SFL tradition, genre is seen as a staged, goal-orientated *social process* (Martin, 1992 & 2009). And, in the ESP tradition, genre is seen as a class of *communicative events* recognised by expert members of the discourse community (Swales, 1990).

2.6.1 Communicative Purpose

Swales' 1990 definition of 'genre' has been highly influential. One key concept is 'communicative purpose' with a focus on why the text has been written; what the writer is trying to communicate; and what readers of the text understand from reading it. Initially, the concept of 'communicative purpose' may seem quite straightforward but, as Swales acknowledges, "*...as genre theory has become more complex, the concept of 'communicative purpose' has also become more complex, multiple, variable and generally hard to get at*" (Askehave & Swales, 2001, p.195). One complication is that genres can have multiple communicative purposes. For example, writers may use a thesis to show supervisors they have followed advice, to persuade examiners they have met the requirements for a doctorate, and to convince potential employers to hire them. Another complication is that different genres may have the same communicative purpose(s). So, while the aim of a thesis may be to communicate a contribution to knowledge, this may also be true of a conference paper. A third complication is that the communicative purpose of a genre may be obscure. For instance, Askehave and Swales (2001) suggest that a shopping list could serve as a personal injunction not to impulse buy, as well as an aid memoire and, in a similar vein, I would suggest that writing a thesis could serve as an expression of self-belief or a 'thank you' for financial and emotional support as well as a way of describing research. All of this means that communicative purpose is more likely to be the outcome of genre analysis than the starting point (Askehave & Swales, 2001).

In this dissertation, it is accepted that theses will have multiple, non-exclusive and sometimes obscure communicative purposes. Pedagogically, I see the goal of genre analysis as learning to communicate those purposes successfully. This has a number of implications. Firstly, to communicate successfully, and satisfy readers' expectations, writers will usually have to develop generic competence. In a Swalsian approach, EAP teachers and learners foster generic competence through identifying structures and language that are 'prototypical' of a genre. However, as Tardy (2016) notes, while attention to patterns and regularity is important, "*viewing genres too much in terms of their conventions carries the real risk of equating them with de-contextualised templates or formulas, patterns that writers can simply plug in with minor modifications*" (Tardy, 2016, p.8). To counter this, Devitt (2015) argues that genres should be seen in terms of performance as well as competence (see also Devitt, Reiff, and Bawarshi, 2004 and

Clark & Fischbach, 2008). As each performance is individual, this means “*genre-in-use is simultaneously unique and shared*” (Devitt, 2015, p.1). By paying attention to performance and variations as well as competence and similarities, EAP teachers can help students to use generic knowledge flexibly. This is important because as Devitt puts it, “*Every writing situation requires writers to perform in unique ways, to dance without knowing all the steps, to improvise their own moves.*” (Devitt, 2015, p. 25).

Another implication of communicative purpose is that, in some cases, writers may have communicative purposes that encourage them to flout generic conventions. In academia, writers usually seek a favourable response from readers and, in general, this requires following generic conventions. However, Tardy (2016) cites a number of situations in which this may not be the case including: writers who want to explore ‘alternative ways of knowing’ and use innovative forms of discourse “*to do intellectual work in ways they could not if confined to traditional academic discourse*” (Bizzell, 2002, p.3 cited in Tardy, 2016 p. 54); writers who depart from generic conventions for the purposes of self-expression or reader engagement; and writers who want to resist or challenge a dominant discourse because they feel marginalised by gender, ideology or ethnolinguistic background (Tardy, 2016). Tardy argues that “*understanding the possibilities for genre innovation is just as important as understanding genre conventions*” (Tardy, 2016, p.18). A central point though is that innovation requires *effective* departure from convention; in other words, departures have to be seen as successful by the text’s intended audience (Tardy, 2016). Not all genres are equally open to innovation (Bhatia, 2006 cited in Tardy, 2016), nor are all disciplines or contexts (Tardy, 2016, p.74-76). Thus, EAP teachers need to have an awareness of when departures from generic norms will be seen as innovative and when they will be seen as deviant.

To sum up, communicative purpose is a key concept in Swales’ influential 1990 definition of genre. However, as Swales details, the communicative purpose of a genre is complicated. This is a problem if genres are defined by having a shared communicative purpose but it is not a problem if the communicative purposes of a genre are recognised as multiple, non-exclusive and sometimes obscure, and if the goal of genre analysis is seen as communicating those purposes successfully. Successful communication requires understanding generic conventions (generic competence) but also understanding generic variation (generic performance); it requires understanding when to follow generic conventions in order to communicate effectively and when to break generic conventions for the same reason. By conducting a diachronic and synchronic analysis of PhD theses in the law department of LSE, this research sheds light on how

communicative purposes have changed (for example, there has been move from describing ‘what is’ to ‘what should be’) and on how varied communicative purposes seem to be.

2.6.2 Discourse Community

A second key concept in Swales’ definition is ‘discourse community’. According the definition that Swales put forward in 1990, and which is still widely cited today, a ‘discourse community’ has six defining characteristics: a broadly agreed set of common public goals; mechanisms of intercommunication among its members; use of these mechanisms primarily to provide information and feedback; one or more genres in the communicative furtherance of its aims; some specific lexis and a threshold level of membership (1990, p.26). The definition has been criticised. In 1993, for example, Mauranen argued that it was too narrow because only individual disciplines are likely to meet the criteria and thus the academic community as a whole is excluded. Swales himself has been one of the main critics commenting that “*My commitment to the concept of discourse community as a theoretical construct has waxed and waned*” (2018, p. 23) and that, while he was gratified something he had “*dreamt up in the late 1980s was still alive and well*”, he had “*a feeling of dismay at the inertia*” (Swales, 2016, p. 3).

In a 2016 article, Swales points to three criticisms of his 1990 concept. One is that it arose as a ‘largely heterogeneous’ contrast to ‘homogenous’ speech communities but the world has changed and thus both speech communities and discourse communities have developed fuzzier boundaries. A second is that “*the concept of discourse community as originally conceived was overly static*.” (Swales, 2016, p. 4). And a third is that discourse communities can be seen through “*an overly idealistic lens*” (Swales, 2016, p. 4), as being united in beliefs and values when, in reality, they are likely to be fragmented and possibly adversarial. Swales now suggests that, in academia, there are three types of discourse community: local discourse communities, like university departments, where people all work in the same place; focal discourse communities, in which connections reach across regional, national and international borders; and ‘focal communities’ which have characteristics of both. He also puts forward amendments to the ‘six characteristics’ of a discourse community, extending them to eight characteristics and suggesting, for example, that public goals should be seen as “*potentially discoverable*” rather than “*broadly agreed*” (Swales, 2016, p.7).

In line with Swales’ discussion in ‘Other Floors, Other Voices’ (2018), it is debatable whether the Law Department at LSE represents a cohesive discourse community. In the 1930s, when some of the theses in the historical corpus were written, the department had four professors, two readers, four lecturers and the number of students rarely exceeded low double figures (History of LSE Law

website, 2019). So, it is conceivable that the academics worked closely together and constituted a local discourse community. In contrast, today, the department has 60 full-time academic staff, 45 guest teachers, 18 professional services staff, 17 visiting professors, 12 Emeritus academic staff, eight fellows or visiting fellows, two members of academic staff devoted to learning and skills or research, and 35 PhD students. Are they all members of the same discourse community? Possibly, but it seems unlikely, especially as the discipline of law is extremely diverse and there may be less cohesion within between legal specialities like corporate law and human rights law than between law and other disciplines, for example, 'critical legal studies' and 'sociology' (see Trowler, 2014b). What seems more likely is that the law department contains a mix of local, focal and folocal communities.

In this dissertation, my primary interest is not what constitutes a discourse community. Instead, it is the connection between 'text' and 'context'. I see context as both broader and narrower than discourse community, agreeing with Curry that, "*academic genres must be interpreted through the filters of the geo-linguistic context, the college/university, the particular department and the individual professor*" (Curry, 2016, p. 82), and with Bhatia (2010), whose framework I use in Chapter 4, that contexts are multiple and include discourse as text; discourse as genre; discourse as professional/academic practice and discourse as professional/academic culture. Context is important in that "*we are able to fully understand the meaning of text only because we also draw on its social, historical, and ideological contexts*" (Dressen-Hammouda, 2003, p. 2). Moreover, as Dressen-Hammouda illustrates using examples from the field of geology, students are unable to master genres unless they can understand the "*hidden expressions of disciplinary expertise*" (Dressen-Hammouda, 2008, p. 238); in other words, unless they can understand the context in which they are writing.

McGrath (2015) draws a helpful distinction between 'discourse community' and 'disciplinary community'. The first "*incorporates the social practices of the group, [and] the analytical emphasis is on the rhetorical and linguistic elements of discourse, and the writer and audience*" (McGrath, 2015, p. 26). The second "*privileges epistemological, cognitive, and organizational facets*" (McGrath, 2015, p. 26). She favours the term "disciplinary discourse community" which "*incorporates social, epistemological and communicative dimensions, and describes the producers/readers/users of genres used within specific academic disciplines*" (2015, p. 26). In this dissertation, I use Bhatia's framework to contextualise corpora in Chapter 4 but, generally, I adopt McGrath's term of 'disciplinary discourse community' because provides a better description of the forces which shape genres than 'discourse community' alone.

2.6.3 Genre in the context of this dissertation

To conclude, in this dissertation, I define ‘genre’ not only as a concept used to categorise texts but also as a way in which texts are ‘performed’ (Devitt, 2015). As such, genres have a social dimension. The communicative purposes of a genre, like a PhD thesis, will be multiple, varied and sometimes obscure, but will usually be broadly similar. To reproduce a genre, students will need to understand “*the cognitive frames that organize disciplinary knowing and being*” (Dressen-Hammouda, 2008, p. 237) and have generic competence, or risk communicative breakdown. At the same time, each ‘performance’ of a genre is unique and, understanding differences as well as similarities, will help students “*advance beyond simplified understandings of genre to the complex decisions needed to address particular situations*” (Devitt, 2015, p.44). Moreover, there may be situations in which a writer’s communicative purpose leads them to depart from generic conventions. Such departures need to be accepted by readers in order to be seen as innovative rather than deviant. Of central importance to genre is the relationship between ‘text’ and ‘context’. Swales concept of a ‘discourse community’ has been important because it describes “*a space that was unacknowledged before because we did not have a term for it. The term realigns the traditional unities—writer, audience, text—into a new configuration*” (Porter 1992: 84 cited in Swales, 2016 p. 9). However, I see ‘context’ as being both broader and narrower than discourse community. Therefore, in this dissertation, I use the term “disciplinary discourse community” as suggested by McGrath (2015) because this encapsulates more of what is important about context. In this research, my aim with genre analysis is to understand why and how legal theses at LSE have developed into their present form and, in so doing, help students ‘perform’ genre better.

2.7 Chapter conclusion

This chapter has shown that EAP continues to evolve as a field as do its approaches to teaching academic writing. The approach which has most influenced me pedagogically, and within which this dissertation is grounded, is the ESP approach to genre analysis. Nonetheless, I agree with McGrath and Kaufhold (2016) about the benefits of an “*eclectic approach*” drawing on different traditions and, while the ESP approach has had the most influence on me, I have also learned from the NR and SFL traditions of genre analysis and from the Academic Literacies movement. Diachronic studies are rare with the ESP approach to genre analysis but I believe they have merit as they show that genres are dynamic and help to understand the link between ‘text’ and ‘context’. When defining genre, there is general consensus that writing has a social dimension. Therefore, it is important to understand what a writer’s communicative purpose is, and how that communicative purpose can be successfully achieved within the text’s context or disciplinary discourse community. In the next chapter (Chapter 3) I turn to research design.

Chapter 3: Research Design

3.1 Introduction to the chapter

In the introduction to this dissertation (Chapter 1), I stated that I had chosen to conduct a synchronic and diachronic analysis of legal theses written at LSE (with a focus on their introductions). I explained my reasons for choosing the thesis as a genre, namely that it is an important but underexplored written text, and for focusing on legal theses, namely that I primarily teach students from the Department of Law. I also explained my reasons for focusing on introductions rather than another section of the theses, namely: legal theses do not generally follow an IMRD (Introductions, Methodology, Results, Discussion) structure but introductions are usually a clearly identifiable section; writers tend to find introductions difficult (Swales, 1990; Bunton, 2002); and introductions have been the focus of previous work which provides a means of comparing introductions in legal theses with those in other genres or disciplines.

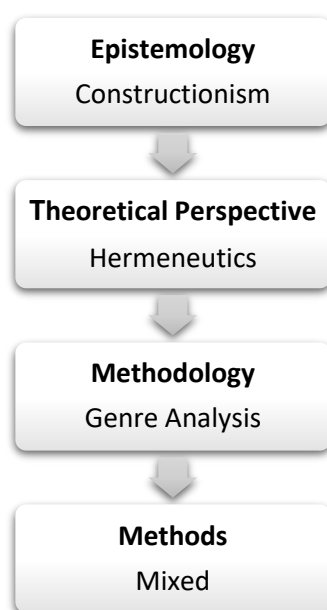
In Chapter 2, I gave an overview of how EAP (English for Academic Purposes) has evolved as a field, different EAP approaches to academic writing (study skills, socialisation and critical EAP), different traditions of genre analysis, the use of diachronic analysis to understand academic writing and, finally, what 'genre' means in the context of this dissertation. The different EAP approaches to academic writing described in Section 2.3 link to educational values such as 'moulding' (study skills), 'growth' (academic socialisation) and 'empowerment' (critical EAP) (Carr, 1995). Carr links these educational values to different philosophical traditions namely 'empirical analytic', 'historical hermeneutic' and 'critical' respectively. As explained in Section 2.3, my educational values are best described by the metaphor of 'growth'. In terms of 'philosophical traditions' this places me in Carr's 'historical hermeneutic' category.

The aim of this chapter is to explain my research design. I begin by outlining a framework for the description (Section 3.2). Then, using this framework, I identify my epistemology (Section 3.3), theoretical perspective (Section 3.4) and methodology (Section 3.5). In Section 3.6, I describe how I compiled the corpora used in this dissertation and, in Section 3.7 I discuss my research methods namely: contextualising the genre through the use of background knowledge, textual clues and a survey of relevant literature (Section 3.7.1); move analysis (Section 3.7.2); corpus analysis (Section 3.7.3); interviews and surveys (Section 3.7.4). In Section 3.8, I outline ethical considerations that arose. Finally, in Section 3.9, I provide a brief conclusion.

3.2 Framework used to describe the research process

There are many ways of describing the research process. In this dissertation, I use the framework outlined by Crotty (1998), who describes the research process as containing ‘four elements’: methods, methodology, theoretical perspective and epistemology (albeit not necessarily in that order).⁶ These elements are linked, often in ‘typical strings, but, as Crotty notes, “*any of the theoretical perspectives could make use of any of the methodologies, and any of the methodologies could make use of any of the methods*” (Crotty, 1998, p. 12). Moreover, the categories within each element are not hermetically sealed. Instead, they can inform each other. For example, Crotty discusses how interchanges between the theoretical perspectives of critical theory and hermeneutics led to critical hermeneutics (1998, p. 14). I like Crotty’s framework because it provides a clear way of describing a complex process while using consistent terminology, and it is for this reason I am using it. My overall ‘research string’ according to Crotty’s framework is depicted in Figure 2.

Figure 2: Describing the research string used in this dissertation



⁶ He does not include ‘ontology’ arguing that ontological issues and epistemological issues tend to emerge together and that ontological issues can be dealt with as they arise without ‘complicating’ the four-column schema. This does not mean that he thinks ontology and epistemology are always linked in the same way. For instance, he makes the point that, while realism is often equated with objectivism, it is not incompatible with constructionism (Crotty, 1998, p.11-12).

3.3 Epistemology

In this section, I explain my 'epistemology'. In other words, "*the theory of knowledge embedded in the theoretical perspective and thereby in the methodology*" (Crotty, 1998, p.3). This theory of knowledge concerns, "*its nature and form, how it can be acquired and how communicated to other human beings*" (Cohen, Manion and Morrison, 2007, p.7). There are different ways of categorising and labelling epistemologies. Guba and Lincoln (1994, p.109), for instance, differentiate between epistemologies that are dualist/objectivist (findings are true); modified dualist objectivist (findings are probably true), transactional/subjectivist (findings are mediated through values) and transactional/subjectivist (findings are created). However, Crotty divides epistemologies into 'objectivism', which sees meaning as existing within an object independent of the subject, 'constructionism', which sees meaning created from interplay between the subject and object, and 'subjectivism', which sees meaning as coming from the subject and imposed upon the object (Crotty, 1998).

Using Crotty's categories, in this dissertation my epistemology is best described as 'constructionism', sometimes referred to as 'social constructionism'. Crotty defines this as "*the view that all knowledge, and therefore all meaningful reality as such, is contingent upon human practices, being constructed in and out of interaction between human beings and their world and developed and transmitted within an essentially social context*" (Crotty, 1998, p. 42). He notes that, in a 'weaker' version, of social constructionism, it is social realities, rather than natural or physical realities, that are seen as having a social genesis (Crotty, 1998, p. 54) and I would place myself in this camp.

Thus, the 'object' of my research is academic writing, a 'social reality'. I do not believe that meaning exists in academic writing independently of the writer or reader(s). In terms of the writer, I agree with Hyland, that "*it is naïve to regard texts as accurate representations of what the world is like*" (Hyland, 2004, p.6), and with Swales, that "*even scientists...[are] heavily dependent on speculative insights, prior intellectual commitments, personal characteristics, indescribable skills, social ties and group membership*" (Swales, 1990, p. 124). In terms of the reader(s), as the next section explains in more detail, I favour a hermeneutical view of reading in which meaning is created by an interplay between the reader(s) and writer via the text.

At the same time, I do not think writers or readers (the 'subjects') are able to impose any meaning they choose upon academic writing (the 'object'). For one thing, as a university blog puts it, "*Legal writing is about facts. While the carrying out of any form of writing can be said to be a creative pursuit, legal writing is not commonly known as 'creative writing'. Every point that is made must be*

backed up by fact" (Southern Cross University, 2019, np). And, while facts may be disputed, I agree with Swales that they are not always constructed (Swales, 1990, p. 125). Moreover, as Section 2.6 discussed, academic writing is shaped by generic conventions. These conventions are fluid and open to change but are critical for successful communication and constrain both writers and readers.

This links to a distinction that can be drawn between the terms 'social constructionism' and 'social constructivism'. The terms are sometimes used interchangeably (Andrews, 2012). For instance, when writing about disciplinary discourses, Hyland (2004) describes himself as a 'social constructionist', whereas Johns, who has coedited a journal with John Swales, describes 'genre' as *"the most social constructivist of literacy concepts"* (2008, p.237). According to Fletcher, though, in social constructivism, the focus is on how knowledge is constructed in individuals' minds rather than through shared interactions (Fletcher, 2007, p.167); it has an individual rather than social focus (Young & Colin, 2004). As Crotty (1998, p. 58) puts it:

It would appear useful, then, to reserve the term constructivism for epistemological considerations focusing exclusively on 'the meaning-making activity of the individual mind' and to use constructionism where the focus includes 'the collective generation [and transmission] of meaning'

In this dissertation, I would describe my epistemology as 'social constructionism'. I am more interested in how genres *"reflect the social contexts of their construction and the beliefs of their users, providing insights into the norms, epistemologies, values and ideologies of particular fields of knowledge"* (Hyland, 2004, p. 4) than in how academic writing reflects the views of an individual writer or is interpreted by an individual reader.

3.4 Theoretical perspective

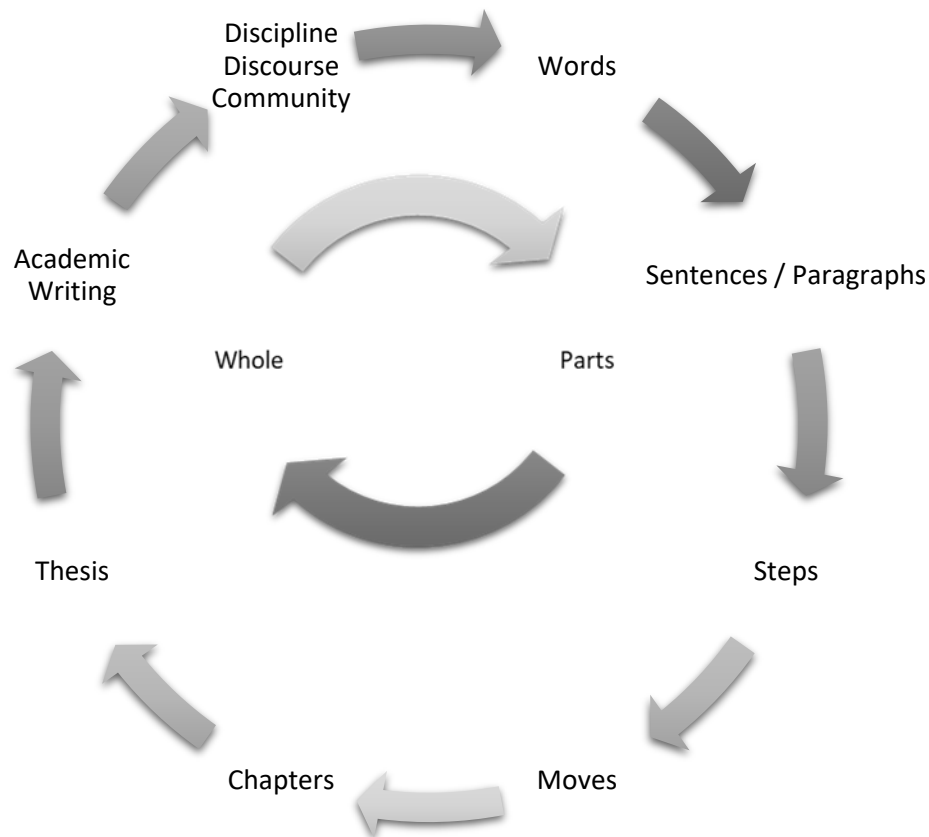
Having identified my epistemology, I now turn to my theory of knowledge. This is defined by Crotty (1998, p.2) as, *"the philosophical stance informing the methodology and thus providing a context for the process and grounding its logic and criteria"*. Among the theories of knowledge listed by Crotty is hermeneutics, which he lists as a subset of interpretivism. Usher (1996) describes hermeneutics as being *"concerned not with generalisation, prediction and control but with interpretation, meaning and illumination"* (p. 18). Originating from biblical studies, hermeneutics has strong links to reading and to *"how individuals and collectives understand texts"* (Allen, 2017, p.649). This dissertation is about writing rather than reading but, as in theories of reading (see Straw & Sadowy, 1990), the 'reader', 'writer' and 'text' are all key concepts, although,

as discussed in Section 2.6, the focus is more upon collective readers in the context of a disciplinary discourse community than individual readers.

Writers communicate with readers via texts and communicative purpose is central to theories of genre as Section 2.6 outlined. However, as Thompson (2001) discusses, readers, writers and texts have both physical and virtual entities. So, readers include individual supervisors and examiners but also exist in the mind of the writer (as an imagined audience), and in the disciplinary discourse community that surrounds the text as a collective, and sometimes virtual, audience. Similarly, writers are individuals, with histories, views and intentions, but they construct a virtual image as they write and readers construct a virtual image of writers as they read. Texts too have both a physical existence (as print or text) but also “*a constructed, dynamic existence*” in readers’ minds (Thompson, 2001, p.46). In short, understanding writing, like understanding reading, is about more than understanding a physical text, writer, or reader. It is about understanding the broader, and sometimes virtual, context in which the text is written.

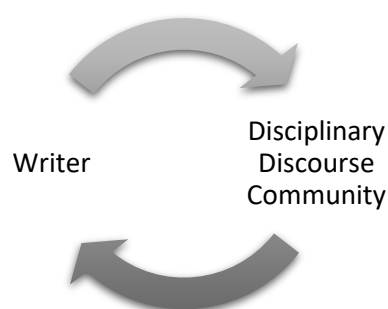
As a consequence, many of the hermeneutical concepts related to reading are also pertinent to writing. One such concept is the ‘hermeneutic circle’. This has a number of iterations. In what Okrent refers to as “*the classical form of the hermeneutic circle*” (1988, p.161 cited in Crotty, 1998, p. 109), understanding part of a text requires understanding the text as a whole, and vice-versa; “*interpretations are always circular*” (Usher, 1996, p.19). To a large extent, this is true of the methods in this dissertation. For example, to understand an individual word identified by corpus analysis requires, not only understanding the word in isolation, but also in the context of sentences and paragraphs. And, to understand a move or step identified by move analysis requires understanding the move or text in the context of the introduction and thesis as a whole. Similarly, understanding any of the language in a thesis requires a broader understanding of academic writing and the disciplinary discourse community. The part-whole understanding required in this dissertation is depicted in Figure 3

Figure 3: Part-whole understanding



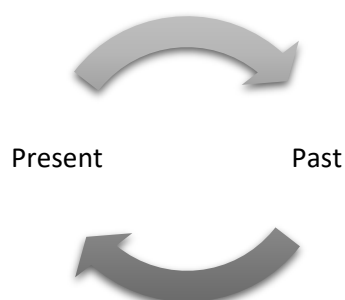
As discussed previously, genres are shaped by their context. Another version of the hermeneutic circle is Giddens's structuration theory where individuals operate within a context of rules produced by social structures and, by complying with these rules, reinforce them (Gibbs, 2017). In genre analysis, social context usually centres narrowly on professional practice and culture (Bhatia, 2015), or what I have been referring to as disciplinary discourse communities in line with McGrath (2015). Thus, in the context of this dissertation, a hermeneutic circle could be depicted as a circular link between the writer and the generic conventions of the disciplinary discourse community, whereby the writer follows the generic 'rules' expected by the disciplinary discourse community and, in doing so, reinforces those rules (Thompson, 2001). As Devitt puts it, genre is a *"reciprocal dynamic within which individuals' actions construct and are reconstructed by recurring context of situation, context of culture and context of genres"* (Devitt 2004: 31). Having said this, novice academics have a stronger obligation to follow contextual rules and less opportunity to instantiate them than more established academics. And, as Section 2.6 discussed, there are situations in which it makes sense for writer to flout academic conventions.

Figure 4: A reciprocal dynamic between writer and context



Another version of the hermeneutic circle, and one that is highly pertinent to diachronic research, is the idea of a circular link between texts and their social and historical context. Thus, for Dilthey, writing is a product of its time – *“This historically derived worldview of authors constrains what they are able to produce and cannot be discounted in hermeneutical endeavours”* (Crotty, 1998, p. 112). Gadamer is another for whom hermeneutical understanding is historical understanding (Crotty, 1998, p. 119). Gadamer is known for the concept of ‘a fusion of horizons’ wherein understanding a text is *“a process of transmission in which past and present are constantly mediated”* (Gadamer, 1989, p.209), and *“the horizon of the present cannot be formed without the past”* (Gadamer, 1989, p.306). Unlike Dilthey, Gadamer does not see the individual notions of self-reflection and autobiography as starting points for analysis (1989, p.276). Instead, he sees ‘prejudices’, or *“the inherited notions derived from one’s culture”* (Crotty, 1989, p.121) as central. In the context of academic writing, this is akin to the academic culture of a discipline and discourse community providing the presuppositions, beliefs, ideas and dispositions of writers and readers (Seargeant, 2012). As Bhatia notes, in genre analysis, the focus is usually on a specific professional or disciplinary community rather than an individual and the aim is to demystify discursive conventions.

Figure 5: A link between past and present



To sum up, in line with Crotty's research string, my epistemology is best described as social constructionism. Therefore, in the context of this dissertation, I see knowledge as constructed via an interaction between the subject (the reader or writer) and the object (academic writing). My theoretical perspective is best described as hermeneutics. Hermeneutics has stronger connections to reading than writing but understanding how meaning is encoded in texts is central to both reading and writing and, the notion of a hermeneutic circle in which understanding texts requires a circular link between parts and the whole; writers are constrained by the expectations and norms of the disciplinary discourse community, at the same time as reinforcing them; and when analysing texts, there is fusion between present and past, connects to the methodology and methods used in this dissertation.

3.5 Methodology

Having described my epistemology and theoretical perspective, in this section, I turn to my research methodology. Crotty defines methodology as "*the strategy, plan of action, process or design lying behind the choice and use of particular methods*" (1998, p.8) In this dissertation, I would describe my methodology as 'genre analysis'. As Section 2.4 outlined, there are many traditions of genre analysis, and their methodologies vary. I have been most influenced by the ESP approach to genre analysis, but believe this approach can benefit from the insights offered by the New Rhetoric approach and Systemic Functional Linguistics approach. In Section 2.6, I argued that, to 'perform' a genre well, writers need to understand genre conventions and the expectations of the relevant disciplinary discourse community but, at the same time, writers have choices about "*what actions to take, what roles to perform, or what sentences and words to use*" (Devitt et al, 2004, p.92). This view of genre has shaped my epistemology (knowledge is seen as socially constructed) and theoretical perspective (context is seen as important when interpreting, or writing, texts). It has also shaped my methodology.

Thus, a central theme in genre analysis is the importance of context. For Devitt et al (who hail from the New Rhetoric tradition of genre analysis) successfully performing a genre requires understanding the scene (the place where communication happens) and the situation (the rhetorical interaction happening within a scene involving participants, subjects, settings and purposes) (2004, p.24). This enables writers to make rhetorical choices about tone, language, organisation of ideas, how to engage and what kinds of examples to use (Devitt et al, 2004, p.6). Something similar is true in the SFL tradition of genre analysis, where 'situational context' necessitates an understanding of 'field' 'tenor' and 'mode' (Halliday, 1999). Establishing 'field' requires asking questions about the social setting in which the genre-text is typically produced, the constraints and obligations on writers and readers, and the communicative purpose (explicit

and implicit). Establishing ‘tenor’ requires asking questions about the roles required of writers and readers and what shared cultural values may be required. Finally, establishing ‘mode’ requires asking questions about the shared knowledge that is required of formal text conventions and other texts by writers and readers.

For Bhatia (2004), in the ESP tradition, genre analysis is a “*theory of contextualisation*” (2015, p. 16). He advocates a multi-dimensional approach to genre analysis wherein academic discourse is conceived of as text, as genre, as professional practice and as professional culture. His view of context does not just envelop the writer of the text, the audience, their relationship and goals. It also includes “*the historical, socio-cultural, philosophic and/or occupational placement of the community in which the discourse takes place*” (Bhatia, 2002, p.190). This is something that McGrath (2015) encapsulates using the term ‘disciplinary discourse community’. As Bhatia notes, pedagogical perspectives, like my own, often begin with discourse as text and then examine discourse as genre (Bhatia, 2002). However, the purpose of genre analysis is not just to describe and explain language use. It is successful communication. This necessitates extending analysis to include an understanding of professional (or, in my case, academic) practice and culture. In other words, the disciplinary discourse community.

A central aspect of my research is that I took a diachronic perspective. As noted in Section 2.5, diachronic perspectives are not very common within the ESP approach to genre analysis. Methodologically, I drew inspiration from Bazerman (1988), who allowed historical trends to be emergent, rather than beginning with a set of hypotheses. He also used a mixture of methods for analysis. Thus, he used statistical methods “*such as those adopted in computer studies of style*” to “*indicate gross patterns or trends*” and close analytical readings to “*explore the finer texture, the meaning and the implication of these trends*” (Bazerman, 1988:159). My mix of discourse analysis and corpus analysis is not dissimilar to this. Bazerman recognised weaknesses in his approach, namely: “*The story I will be presenting thus has been filtered several times through my own personal interpretive, selective and synthetic judgments*” (Bazerman, 1988:64) and that there is a danger that overall trends will “*wash out many individual variations*” making texts appear more uniform than they in fact are (Bazerman, 1988, p. 65). This is something I bear in mind during my own research.

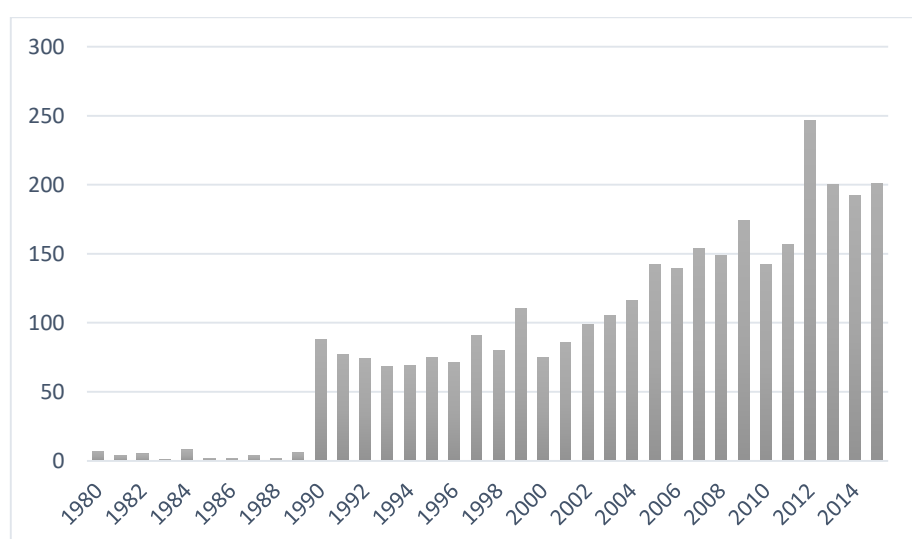
3.6 Compiling the corpora

In Section 3.7, I discuss my methods in more detail, but first I discuss how I compiled my corpora. Bhatia suggests a corpus could be “*a long single typical text for detailed analysis, a few randomly chosen texts for exploratory investigation [or] a large statistical sample to investigate a few specified*

features through easily identified indicators" (2004, p.191). In my case, I compiled two corpora (each with the introductions of ten theses): one from the 1920s and 1930s and the other from 2014-15. This was to enable a diachronic perspective and thus an understanding of how changing contexts impact upon texts.

When it came to compiling the corpora⁷, I knew that finding modern legal theses would be relatively straight-forward. LSE has a website called 'LSE Theses Online' which can be searched according to author, year or department, and the number of theses available has been growing fairly steadily since the 1990s as Figure 6 illustrates.

Figure 6: Quantity of theses available on 'LSE Theses Online' for all departments

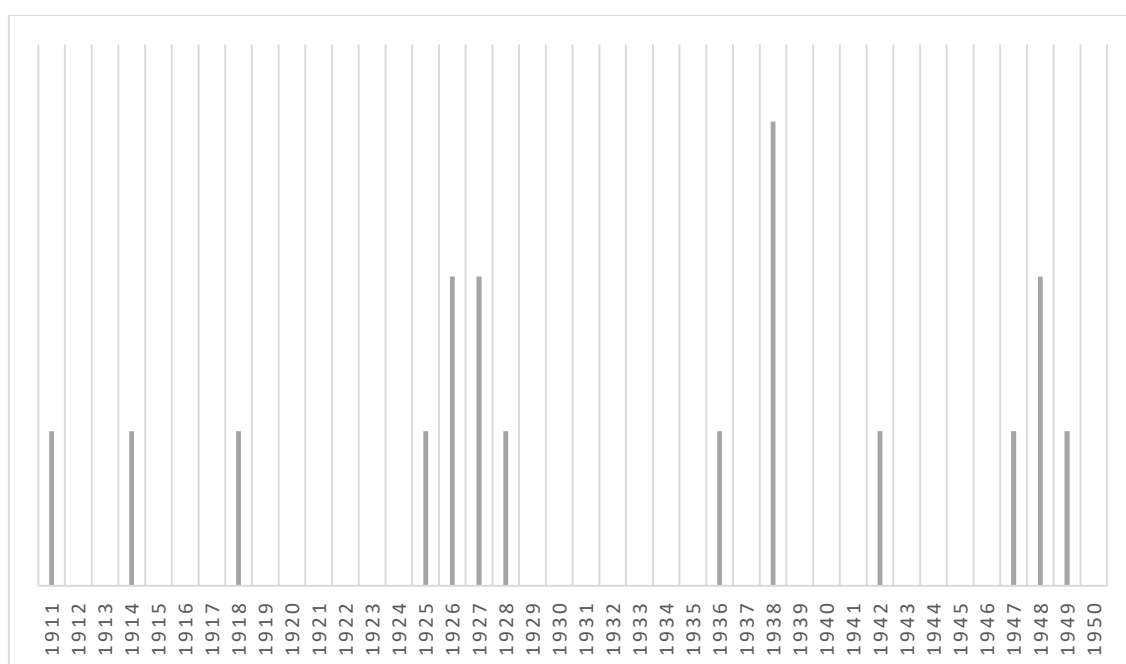


What was going to be more difficult was finding theses for the historical corpus as most can only be found in the archives. When I searched for PhD theses written in the field of law, I found 18 which had been written between 1911 and 1949 (see Figure 7)⁸.

⁷ In other words, the body of texts I was going to analyse.

⁸ Although, prior to 2017, these were a DSc rather than PhD

Figure 7: Distribution of legal theses written between 1911 and 1949



When compiling a corpus, size is an important consideration as patterns are more convincing the more often they are found. However, in specialised corpora, it is also important for texts to be representative (Flowerdew, 2004; Nesi, 2016), and, in the case of diachronic analysis, not to be spread over too great a time span. I decided that the 38-year time span between 1911 and 1949 was too great given the many changes that had taken place at LSE, in academia and in the wider world during this time. Thus I decided to use the ten legal theses which were produced during the inter-war period (1925-1939). This is still quite a long-time span (14 years). As an alternative, I could have used the six theses available in the 4-year period from 1924 to 1928 but, when balancing size and time span, I decided that it was preferable to examine 10 texts spread over 14, relatively uneventful, years than six texts spread over four years.

For the modern corpus, I also selected ten theses. I focused on theses which were written in 2015 (which, at the time, was the most recent year for which theses were available). However, as only eight theses were available for 2015, I also took two at random from the theses for 2014. This created a modern corpus with the same quantity of theses as the historical corpus. In total my corpora contained 20 theses. This is the same as Salom et. al. (2008), who looked at the introductions of 20 PhD theses written by Spanish speakers and Kwase (2018), who examined the introductions of 20 PhD theses in the field of applied linguistics.

At just under 10,000 words in total, my corpora are small. However, small, specialised corpora have advantages. For example, they allow a close link between text and context, they allow the

corpus compiler to develop a high degree of familiarity with the texts, and they allow quantitative findings to be complemented by qualitative ones (Koester, 2010). Moreover, according to Biber, a leading expert in the field of corpus linguistics, five to ten texts are sufficient to represent a genre, and most common linguistic features, like the ones I investigate (for example, personal pronouns, contractions, and past and present tenses), are relatively stable across 1,000-word samples (Biber, 2001 cited in Koester 2010).

A potential weakness of my corpora is that the length of texts varies. Thus in the modern corpus the texts range from 5 pages to 33 pages, and in the historical corpus, the texts range from 3 pages to 51 pages. This means that the voices of some writers are more dominant than others when analysing the frequency with which lexis occurs. To mitigate against this, I consider variation between texts as well as variation between corpora. For example, when looking at the frequency with which writers use the first person, I show that, on average, writers in the historical corpus used 'I' less than writers in the modern corpus (13.4 instances per 1,000 words compared to 27.1 instances per 1,000 words). However, I also show that, in each corpus there are writers who use the first person prolifically and others who do not use it at all. Frequency ranges from 0 to 87 instances per 1,000 words in the historical corpus and 0 to 172 instances in the modern corpus.

The gap between the first thesis in the historical corpus (which was written in 1925) and the last thesis in the modern corpus (which was written in 2015) was 90-years. There was a shorter gap between the two theses in the historical corpus (which were written in 1939) and the theses which were written in 2014 (65-years). However, in both cases, the gap is a substantive one and, given this, one would expect to see changes in thesis structure, style and use of literature as subsequent chapters investigate.

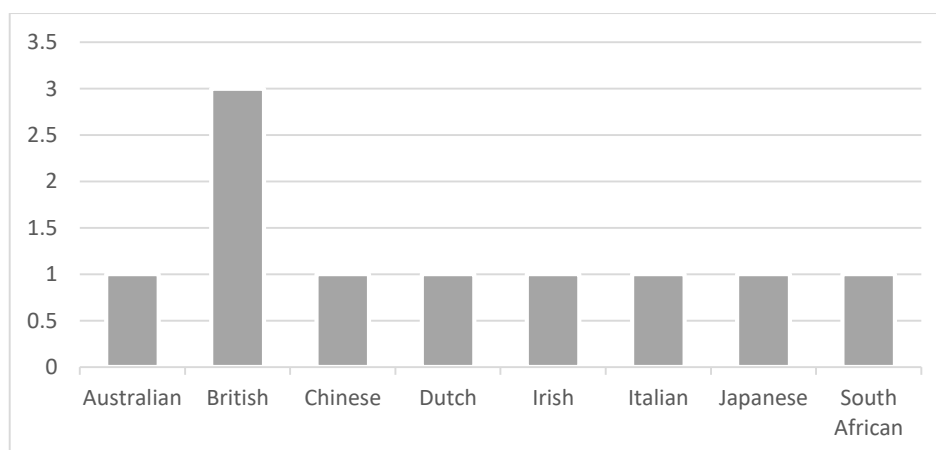
Other than choosing theses written at LSE from the field of law within specific time-frames, I was not selective as my aim was not to choose model texts or prototypical texts. However, some of the theses in the historical corpus, were written by scholars who later became very influential in the field of law. For example, Hersch Lauterpacht published '*one of the seminal works on overseas law [and]....is widely considered to be one of the great overseas lawyers of the 20th century*' (Lauterpacht, 2011, p. Blurb); and Franz Neumann is well known for his work on law and socialist political theory, in particular, his book called *Behemoth: The Structure and Practice of National Socialism in 1942* (Neumann, 2009).

Many of the theses in the historical corpus were written by overseas scholars. Lauterpacht was born in a town that was part of the Austro-Hungarian empire and is now in western Ukraine; he

enrolled in the law school of the University of Lviv in 1915 but was unable to take final examinations “because the university has been closed to Jews in Eastern Galicia” (Sands, 2010). Franz Neumann was another Jew, albeit German, who was forced to leave Germany in 1933 and then came to LSE. Dorothy Beatrice McCown, the only woman, may have been American as she was registered as a student at Berkeley prior to coming to LSE. And, Allan Martyn Finlay was from New Zealand; he was awarded a scholarship to the LSE and completed his thesis in 1938 (Wikipedia, n.d.). I could not find bibliographic information about the other six scholars but the names of Mohamed Hamed Fahmy and Adbdul Ali Dehkan would suggest they were not British. The fact that many of the theses were written by non-native English speakers demonstrates that LSE always has been a very overseas university in which English is used as an academic lingua franca.

Turning to the modern corpus, although gender is not the focus of my analysis, I found it interesting that there has been a radical shift in the ratio of men to women. In the historical corpus, there was only one woman, whereas in the modern corpus, all but one of the writers are women. This is indicative of broader trends in higher education. By searching online, I was able to identify the nationalities of all the writers. As with the historical corpus, British writers are in a minority (three) and many writers appear to be non-native speakers of English. See Figure 8.

Figure 8: : Nationalities of writers in the modern corpus



As with the historical corpus, I do not think it a problem that the writers come from a range of backgrounds. Although, researchers often contrast written work produced by native speakers of English with written work written by non-native speakers of English (Atai & Falah, 2005; Müller, 2005; Owtram, 2010; Amnuai & Wannaruk, 2013), the reality of academic discourse is that it is frequently produced by non-native speakers, and expertise in English is, by no means, the

preserve of native speakers. As, one of the PhD supervisors⁹ I surveyed from the Law Department said:

Often non-natives write much better than natives, as they have learned to construct sentences. Legal writing is a craft, it's artificial, it needs to be constructed. Natives need to learn this as much as non-natives. In fact, it's often the natives who are disadvantaged as they have never learned legal writing and use colloquialisms etc. that are out of place in a dissertation" (SR4).

Another way to put it is that "*there are no native speakers of **academic** English*" (Mauranen, Hynninen, & Ranta, 2010, p. 184) or, as Bourdieu famously said: "*Academic language... is no one's mother tongue*" (Bourdieu & Passeron, 1994, p. 8). Having compiled the corpora, I used a mix of methods for analysis.

3.7 Methods

Crotty describes methods as "*the techniques or procedures used to gather and analyse data*" (1998, p.8). In this dissertation, I use a mix of quantitative and qualitative methods. In Section 3.7.1, I outline how I consulted a mix of materials for context. This included consulting practitioner advice and handbooks, reading histories of the LSE and reviewing online resources. In Sections 3.7.2 and 3.7.3, I discuss how I used the methods of move analysis and corpus analysis to analyse the texts for structure, style and use of literature. Finally, in Section 3.7.4, I describe how I used interviews and surveys for insights from current PhD students and supervisors.

3.7.1 Situational and institutional context

Genre analysis can include discussions of the social structure, interactions, history, beliefs and goals of the professional community that uses the genre; and information about the institutional context which "*becomes particularly important if the data is collected from a specific organisation*" (Bhatia, 2014, p. 193). Thus, according to Bhatia (2002), the first step to take in genre analysis is to place the given genre-text into a situational context using background knowledge and textual clues. Having worked at LSE for over 10 years at the start of this dissertation, and having worked with law students at LSE for over four years, I had accumulated a reasonable amount of background knowledge about the institution, the discipline and the department. It is difficult to specify exactly how this background knowledge affected this dissertation but my experience meant that I was familiar with departmental information in handbooks, on websites, and on

⁹ See Section 3.4.3 and Appendix 5

Moodle sites; I had interacted with law students in classes, workshops and office hours; I had liaised with academics and administrative faculty in the Law Department; and I had proofread a sizeable number of dissertations (MSc) and theses (PhD) for students. In terms of textual clues, through a broad initial survey of the theses in the corpora, I was able to ascertain some information about the authors (see Section 3.6) and reach some general conclusions about whether the structure of the theses had changed (see Section 5.2), whether the themes of theses had changed (see Section 5.3), and whether the length and format of theses had changed (see Section 5.4).

The second step in contextualisation, according to Bhatia, is to survey existing literature. This encompasses literature that provides linguistic analyses, practitioner advice (like style guides or handbooks), discussions on the social structure, interactions, history, beliefs and goals of the academic community that uses the genre, and information about the institutional context, which *“becomes particularly important if the data is collected from a specific organisation”* (Bhatia, 2014, p. 193) as in my case. In this dissertation, I consulted websites, articles, textbooks and style guides about the three areas I am interested in (structure, style and use of literature). I also consulted LSE blogs about the institution (for example, Cox 2019) or writing (for example, Deller 2017), books about the institution (for example, Dahrendorf 1995), website information about the law department (including historical information collated for the department’s centenary) and handbooks/calendars dating back to 1895.

Thus, one method in this dissertation was to contextualise the genre, and textual elements within the genre (namely structure, style and use of literature) through the use of background knowledge, textual clues and a survey of relevant literature.

3.7.2 Move analysis

In the field of EAP, understanding how texts are structured is often achieved through move analysis. Move analysis was pioneered by Swales and has been heralded as making *“headway for a vibrant research agenda with multi-level analyses of socially situated discourse”* (Cotos & Huffman, 2015, p. 1). In move analysis, the aim is to produce a description of the ‘moves’, ‘steps’ and language typical of a genre. Moves are regarded as, *“discoursal or rhetorical units performing coherent communicative functions in texts”* (Moreno & Swales, 2018, p. 40). Within moves, there are steps, which are *“the multiple text fragments that ‘together’ or in some combination, realise the move in such a way that the steps of a move primarily function to achieve the purpose of the move to which it belongs”* (Moreno & Swales, 2018, p. 40). Finally, within steps, there are common linguistic patterns. The goal of move analysis is usually pedagogical; in other words, the intention

is to create a generic model which students can copy or adapt, and to generate linguistic patterns which they can use in their writing. The generic models are not intended to cover all genre ‘performances’; some ‘performances’ will be atypical rather than ‘prototypical’. Nor are the models intended to be prescriptive. However, even with explicit warnings, in my experience, it is tempting for students to use models as a formula.

The best-known generic model in the field of EAP is the one developed by Swales for writing introductions in research articles. Swales originally put the model forward in 1981 when it contained four moves which Swales labelled: Establishing the Field; Summarising Previous Research; Preparing for the Present Research; and Introducing the Present Research. In 1990, Swales refined his model into one which he called *Creating a Research Space (CARS)*, in which the four moves were replaced with three moves: Establishing Centrality (where steps could be a claim for the centrality of the work, topic generalisations, or a review of previous research); Establishing a Niche (where steps could be counter-claims, an indication of a gap in the research, question-raising, or claims to be continuing a tradition) and Occupying the Niche (where steps could be outlining the purpose of the research, announcing principal findings or indicating the paper’s structure). The CARS model has been immensely influential, and no moves’ analysis of introductions would be complete without acknowledging its importance, although Swales now cautions against adopting too rigid and mechanistic a framework (Swales, 2002b).

Possibly the first researcher to examine generic moves in PhD introductions was Bunton (2002). Bunton analysed the introductions of 45 theses and used his results to adapt the Creating a Research Space (CARS) model that Swales had put forward for introductions. Bunton’s research is different from my own. For example: he only examined seven Social Sciences theses and does not specify that any of these are from the field of law; the majority of the writers in his corpus were Chinese (34/45); and all of the writers were students at Hong Kong University (a very different institution from my own). Nonetheless, Bunton’s work provides a useful point of comparison. What Bunton found was that nearly all the introductions he analysed had the three moves identified in the CARS model that. However, he also found that moves were mostly cyclical¹⁰; that there were a greater variety of steps; that few writers identified research questions or hypotheses (8 out of 45, although 100% of Social Science writers); and that the primary

¹⁰ Swales and Moreno (2018) acknowledge cyclicality can be the case but Swales believes “...*there are good general and applied reasons for assigning numerical sequence to the elements that occur*” (1990: 145), citing research he did which found only 10 out of 110 introductions began with Move 3.

communicative purpose of the introductions was to demonstrate to examiners that the writer/researcher had made an original contribution to knowledge in the chosen field.

Table 1: Modified CARS (Bunton, 2002)

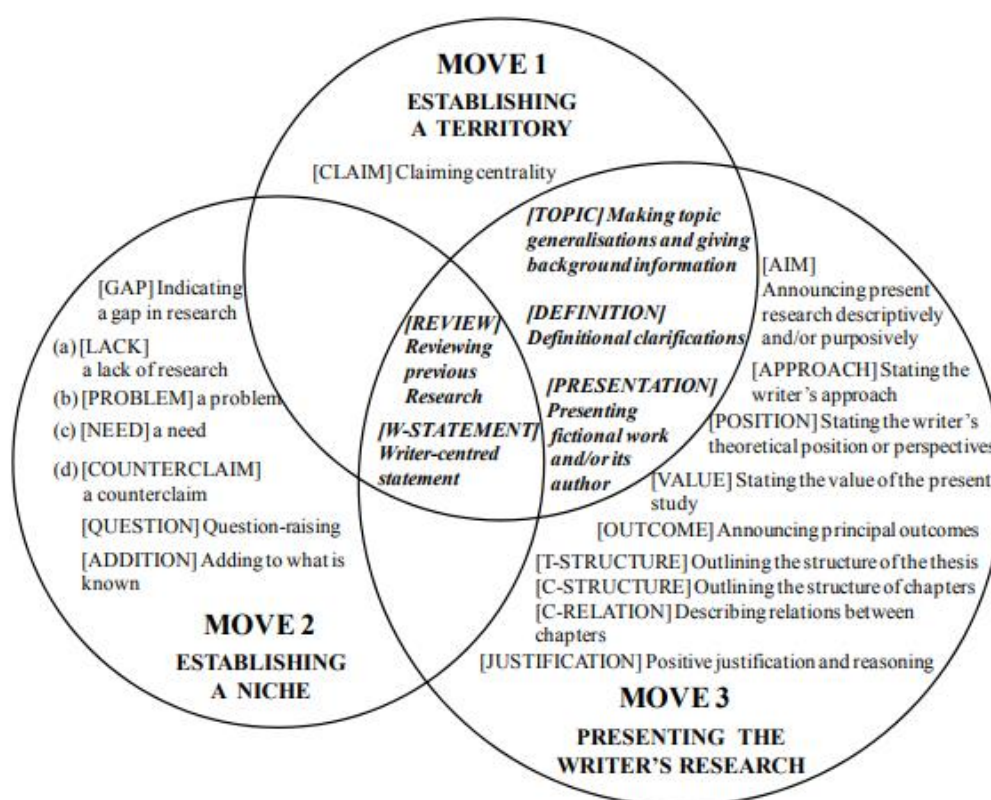
Often present	Occasionally present
Move 1: Establishing a Territory	
STEPS 1. Claiming centrality 2. Making topic generalizations and giving background information 3. <i>Defining terms</i> 4. Reviewing previous research	Research parameters
Move 2: Establishing a Niche	
STEPS 1. Indicating a gap in research 2. <i>Indicating a problem or a need</i> 3. Question-raising 4. Continuing a tradition	Counter-claiming
Move 3: Announcing the Present Research (Occupying the Niche)	
STEPS 1. Purposes, <i>aims or objectives</i> 2. Work carried out 3. <i>Method</i> 4. <i>Materials/Subjects</i> 5. Findings/Results 6. <i>Product of research / Model proposed</i> 7. Significance/justification 8. Thesis structure	<i>Chapter structure</i> <i>Research questions/hypotheses</i> <i>Theoretical position</i> <i>Defining terms</i> Parameters of research <i>Application of product</i> <i>Evaluation of product</i>

Bunton's model has since used, or adapted, by other researchers examining thesis introductions such as Soler-Monreal et. al (2011), Ono (2017) and Kawase (2018). Soler-Monreal et. al (2011) used it to conduct a contrastive study of the rhetorical organisation of English and Spanish computing PhD thesis introductions using a corpus of 20 theses. They concluded that the introductions written in English tended to place more stress on research originality and contribution to the field of study. Ono (2017) used it to analyse the introductions of 51 Japanese theses and 48 English theses in the field of literature. She then proposed what she refers to as an 'Open-CARS' model for this field in which moves and steps are not necessarily sequential, and some steps are 'move independent'¹¹. Finally, Kawase (2018) used it to examine the introductions of 20 PhD theses in the field of applied linguistics and compared these to other

¹¹ I prefer the term 'move variable'.

disciplines. Among the differences he found were that the applied linguistics introductions were more likely to include research questions and reviews of previous literature but less likely to indicate problems or needs.

Figure 9: Open-CARS model by Ono (2017)



Although move analysis has been widely used for genre analysis, researchers typically provide little information about the processes they have followed (Moreno and Swales, 2018). As Upton and Cohen comment “*methods for conducting move analyses, especially as described in published studies, have all too frequently been vague and lacking standardization*” (2009, 5). When determining how to use move analysis four questions arise.

The first question is the extent to which moves and steps should be emergent. Many researchers build on research which has already been carried out. For example, when analysing theses introductions, Bunton (2002) looked for moves and steps previously identified for research article introductions, specifically, moves from Swales (1990) and steps from both Swales (1990)

and Dudley-Evans (1986). The advantage of this approach is that the research does not exist in isolation. Insights from previous researchers are exploited and consistent labelling of moves and steps makes comparison with previous analyses easier. The disadvantage of *a priori* theorising (Trappes-Lomax, 2004) is that using pre-determined labels influences analysis, prompting the discovery of certain moves and steps and, potentially, overlooking (or mislabelling) others. If moves and steps are to be emergent, Upton and Cohen (2009) recommend detailed analysis of individual texts and then using that analysis to determine typical patterns. They comment that multiple readings and reflections on the texts are needed before clear move types, with their defining function(s), emerge.

The second question is at which level to start the analysis. Should it begin by first identifying 'moves', 'steps' or language? Upton and Cohen (2009) present move analysis as 'a top-down approach' where the focus is on meaning and ideas rather than 'a bottom-up approach' where the lexical and/ or form-focused analysis comes first. Similarly, Cotos and Huffman (2015) recommend segmenting the texts based on rhetorical purpose (moves) and then categorising the segments into 'functional-semantic discourse units of analysis' (steps). However, while Swales' original approach was to establish moves before looking at steps, he believes a combination of 'top-down' and 'bottom-up' approaches where interrelated levels of analysis go on at the same time is the reality "*either overtly or covertly in most move analyses*" (Moreno & Swales, 2018, p. 41) and now suggests analysis should begin by segmenting sections into meaningful fragments from the step perspective (Moreno and Swales, 2018, p. 48).

The third question concerns the process of segmentation. Analysis can be very fine-tuned. For example, Moreno and Swales (2018) divided this 44-word sentence into four steps:

STEP ONE: *Normal subjects were used...* (Restating an aspect of the method);

STEP TWO: *...to obtain a homogenous normal group for intra- and inter-therapist comparison, ...* (Justifying the previously-stated feature of the method);

STEP THREE: *... but whether the kinematics of manipulation are the same in normal subjects and patients is still unclear...* (Evaluating the current state of knowledge in broad terms);

STEP FOUR: *... and should be addressed in future studies.* (Making a recommendation for future research).

However, as Bunton notes, "*The single step 'Reviewing previous research' sometimes continued for 10 or 20 pages*" (Bunton, 2002, p. 75).

The fourth question is how to manage the subjective nature of move and step analysis. There is general agreement that textual boundaries are often 'intuitive' rather than linguistic (Paltridge, 1994) and one of the critiques of Swales' CARS model is that it relies heavily on intuition and interpretation (Crookes, 1984; Basthomi, 2009). Given the subjective nature of move and step analysis, it is standard practice to enhance reliability by involving more than one analyst so that results can be compared, in other words, to use inter-rater reliability tests. When putting forward suggestions for strengthening move analysis methodology, Moreno and Swales (2018) also suggest using intra-rater reliability. In their case, this involved the main analyst repeating her analysis one month later, examining differences and revising certain aspects of the model (Moreno & Swales, 2018, p. 50).

In my research, I wanted 'moves' and 'steps' to be emergent rather than predetermined because, otherwise, I thought there was a danger that I would only see what I was looking for and might thus overlook features or push features into categories which were not the most representative. Thus, I began by reading through all of the introductions and highlighting sections which struck me as serving a clear rhetorical purpose. For example:

Problem: *The problem is different in the first and, partly, in the second instance.*

Question: *The following question arises here: may private law rules be introduced at all in this field of relations so different from those obtaining between individuals under the reign of municipal law?*

Focus of thesis: *This thesis, which is concerned with the relations between private law and international public law, is primarily devoted to the investigation of this aspect of the problem.* **Importance of topic and knowledge gap:** *Now, there is hardly a question of greater practical and theoretical importance to which less systematic attention has been paid than the question of the use of private law concepts in international public law. (Lauterpacht, 1926: 3)*

Having read the texts once, I then reread them and added to the notes I had made. Once I had read the texts multiple times, I listed all the features I had noted. I then merged, deleted or renamed features and grouped features with similar functions. Eventually, the features became steps and the functions became moves. In this way, the 'moves' and 'steps' were emergent;

although, my teaching experience and knowledge of other research undoubtedly had an impact on the rhetorical purposes I identified. Once I had finished my initial analysis, I compared my results to the models put forward by Bunton (2002) and Ono (2017) and to findings from researchers who had used Bunton's model like Salom et al. (2008); Soler-Monreal et. al (2011), and Kawase (2018). I used their insights to reanalyse the texts and then decided whether to relabel, add, adapt or omit the steps identified in my initial analysis. Eventually, I developed a framework which could be used to label all of the steps in the corpora in a clear and consistent manner (see Table 2).

Table 2: Framework for analysing the moves in steps in the thesis introductions

	Move specific steps	Move variable steps
Move 1: Establishing a Territory	1. Making topic generalizations and giving background information 2. Claiming centrality/Importance of topic	15. Definition of terms (M1 and M3) 16. Personal comment / biography / anecdote (M1, M2, M3)
Move 2: Establishing a Niche	3. Establishing: a. An area of debate/uncertainty b. A gap or weakness in the research c. A problem or need d. A question raised e. A counter-claim f. Continuing a tradition	17. Review of literature/previous research (M1, M2, M3)
Move 3: Occupying the Niche	4. Purposes, aims or objectives of research 5. Research questions / hypotheses 6. Approach 7. Theoretical position 8. Arguments / conclusions 9. Defense against possible critiques 10. Significance / contribution of research 11. Structure of the chapter 12. Structure of the thesis 13. Scope / parameters of research 14. Limitations of / difficulties with research	

The framework above differs from Bunton's model (2002) in a number of ways.

- Firstly, I have omitted steps like 'Application of Product' and 'Evaluation of Product', which were not applicable to the PhD introductions I examined.

- Secondly, I have added steps which occurred in over half the texts¹². For example, in Move 2, I added '*establishing an area of debate/uncertainty*' as, in both the historical corpus and modern corpus, this was the main way in which writers 'established a niche', and in Move 3, I added '*discussing limitations of and/or difficulties with the research*' and '*defending against possible critiques of the research*'.
- Thirdly, I included a category for 'move variable steps', in other words, steps which are typical of more than one move. Bunton (2002) recognises that such steps occur, for example, he lists '*defining terms*' as a step in both Move 1 and Move 3, but he does not create a separate category for the steps, and numbers them differently according to which move they occur within. As I began my analysis with steps rather than moves, I found it preferable for each step to just have one number. Hence the new category.
- Finally, although in general I changed my labels so that they matched the ones used by Bunton (2002), I did not always do so. For example, I did not relabel 'approach' as 'method', because I see 'approach' as referring to the broad direction a writer intends to take, and 'method' as referring to a more specific research process. In my context, many of the writers wrote about their intended approach, for example comparative study, but few went into detail regarding the method.

To sum up, while my framework had features in common with Bunton, allowing for a degree of comparison, it was also tailored to the analysis of legal theses. It needs to be stressed that, unlike Bunton, I am not presenting the framework as a pedagogical alternative to Swales' CARS model. I believe an 'Open CARS model' along the lines of the model presented by Ono (2017) is a better reflection of the way that thesis introductions are structured than a linear model. However, this framework allowed me to analyse my texts and label steps and moves consistently.

To improve the reliability of my analysis, I read and reread the texts multiple times to develop the framework in Table 2. I then used the framework to analyse each introduction twice with a 4-month gap between analyses. I was also fortunate to have two colleagues who were willing to discuss problematic sections with me but, as Hyland warns, "*In discourse analysis, as in physics, we cannot reach a kind of transcendental truth*" (Hyland, 2004, p. 142). The results of my analysis are discussed in Chapter 5.

¹² The one exception is Step 16 (S16) 'Personal Comment'. I included this, not because it was frequent, but because I was interested in the implications for 'academic style', which is the topic of the next chapter of this dissertation.

3.7.3 Corpus analysis

When looking at writing style and the use of literature, I began by reading the full texts and taking a note of interesting features. However, I also found corpus analysis to be a powerful tool. Corpus analysis is not a new phenomenon. Manually composed corpora date back to the Middle Ages but technological advances have revolutionised the field, making it far easier to gather and analyse vast quantities of data. Publicly-accessible academic corpora include the British Academic Written English (BAWE) corpus, which contains around 6.5 million words, the British Academic Spoken English (BASE) corpus, which contains around 1.1 million words, and the Michigan Corpus of Spoken Academic English (MICASE), which contains around 1.8 million words. Researchers also collate smaller academic corpora to investigate language use. To cite just three of many examples: Charles (2006b) compiled a 190,000-word corpus of theses from the field of politics/international relations to investigate phraseological patterns in reporting clauses; Luzón (2009) compiled a 139,807-word corpus of undergraduate writing assignments to analyse the use of first person pronouns; and Carrió-Pastor (2013) compiled a 103,451-word corpus of academic papers written by native speakers and a 103,451-word corpus of academic papers written by non-native speakers to examine variation in the use of sentence connectors.

Corpus analysis can reveal the frequency of lexical and grammatical items. Such information was used to create the Academic Word List (AWL), Academic Functions List (AFL) and the Academic Collocations List (ACL), mentioned in Section 2.2. Frequency counts are also used to compare language use between different disciplines, genres and language-users. As an illustration, Hyland (2002) used frequency counts to compare self-mention in research articles and student reports from different disciplines, while Geng and Wharton (2016) used frequency counts to compare evaluative language in the discussion sections of doctoral theses written by L1 Chinese and L1 English writers. In addition to frequency counts, corpus analysis can generate concordances like the one in Figure 10. Concordances reveal information about how words combine with one another (collocations) and about the connotations words have (semantic prosody).

Figure 10: A concordance of the word 'thesis' from the corpora in this dissertation

Concordance Hits 161	
Hit	KWIC
1	positive international law. This thesis adopts a conceptual approach
2	sarily correct. Nor does this thesis aim to address every aspect
3	ent of English property law. The thesis also intends to critically evaluate
4	the successive chapters of the thesis, and explain how the discussion
5	Chapter 3 is the theoretical heart of the thesis and explains the nature of
6	reasons developed throughout the thesis are formally recognised and
7	noting developed throughout the thesis are primarily grounded in
8	precedent. Thesis Perspective This thesis argues that an approach to
9	should be resolved by the law. This thesis argues that both freedom
10	attempt to address this lacuna, this thesis argues that the legal concept
11	The Thesis, as its title implies, embodies
12	which is at the heart of the thesis. As Minow puts it, 'the law is always
13	discussed in subsequent chapters of this thesis as set out at the end of
14	the law is referred to in this thesis as the 'orthodox approach'

To some extent, corpus analysis and genre analysis are at odds with each other. As Swales states:

*ESP [genre] analysis and corpus work have **traditionally** started from very different points of departure, even though they share beliefs in the empirical descriptions of language and share doubts about the role of armchair prescription...while genre analysts have been at work...attempting to develop a richer socio-cognitive theory of non-literary genres, corpus linguistics take the concept of genre largely for granted.* (Swales, 2002, p. 163)

The first is a 'bottom-up' method, which has traditionally used large amounts of data, and yielded quantitative information. The second is a 'top-down' method, favouring smaller amounts of data and tending to yield more qualitative results. Other differences between the two approaches are illustrated in the table I have created below:

Table 3: Differences between 'traditional' genre analysis and 'traditional' corpus analysis

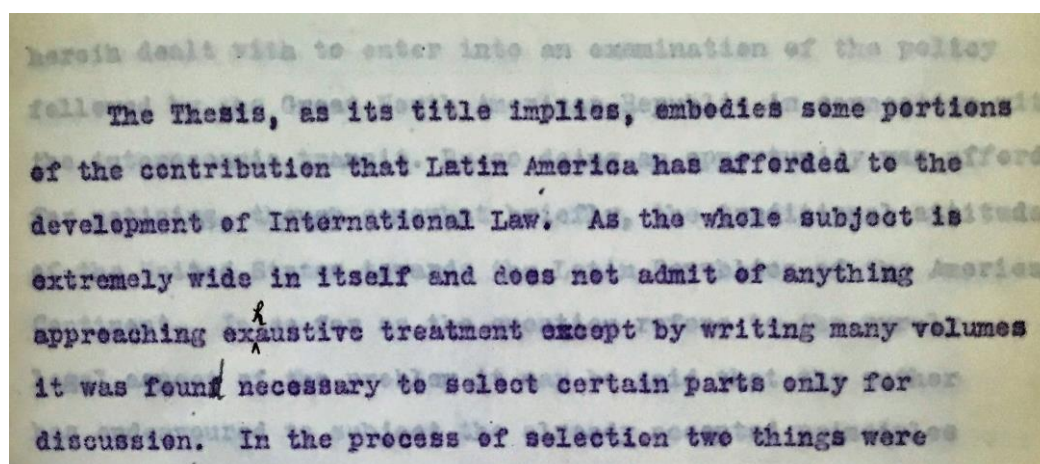
In genre analysis, the text is...	In corpus analysis, the text is...
Is read whole	Is read as a fragment
Is read in context	Is not read in context
Is read horizontally	Is read vertically
Is read for content	Is read to detect patterns

Nonetheless, corpus compilation and analysis are starting to take on a more ethnographic dimension (Flowerdew, 2014) and there are many advocates of integrating corpus analysis and genre analysis (Flowerdew, 2005; Biber, Connor, and Upton, 2007; Charles, 2007; Upton and Cohen, 2009). As Flowerdew (2005) states, "*Corpus-based methodologies have been informed by genre principles of text analysis, while at the same time it has been shown that genre theories can profit from corpus-based methodologies*".

Software, such as *AntMover* (2019), now allow corpora to be annotated not just for parts of speech but also for rhetorical 'steps' such as 'indicating a gap' or 'outlining purpose'. And, while some linguists argue against annotating rhetorical functions on the basis that it imposes particular interpretations of the text on the corpus user (Sinclair, 2004), it is seen as having great potential for areas such as automated writing evaluation (Cotos, 2014; Nesi, 2016). Swales, who used to be dubious about a successful 'symbiosis' of genre analysis and corpus analysis because "*the procedural differences between discoursal top-down and corporist bottom-up approaches remain to be resolved*" (Swales, 2002, p. 163) now seems convinced that corpus analysis can assist genre analysis (Moreno & Swales, 2018).

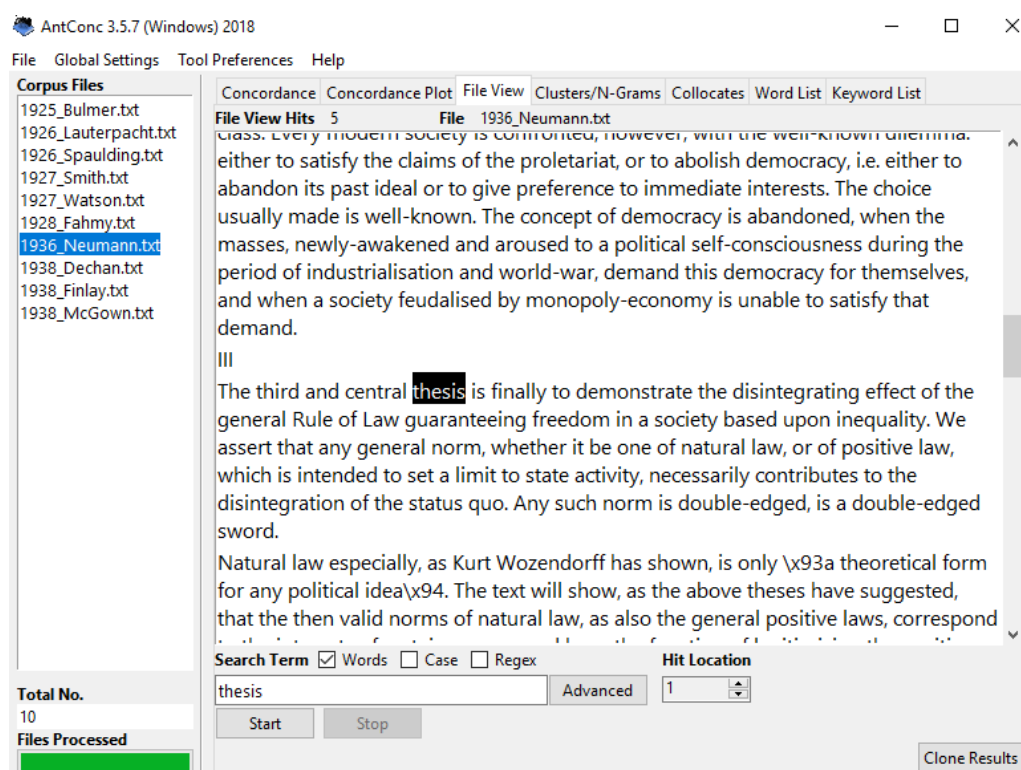
To use concordancing software requires converting the texts into .txt documents. In my case, this was not too difficult for the modern theses. Most had been uploaded as .pdf documents which could then be converted to .txt documents using free online software. For the historical theses, though, it was extremely time-consuming as the older theses needed first to be photographed and then converted into text. Originally, I had hope to use scanning software to do this automatically. However, the older theses were often typed onto thin, translucent paper, which meant that the writing on the other page could clearly be seen, and the theses frequently included handwritten corrections and additions. As a result, I found that the photographs could not be converted into text without excessive distortion. I therefore had to convert the photographs into text through a combination of manual typing and audio dictation software.

Figure 11: An extract from one of the theses demonstrating the translucent nature of the paper and inclusion of handwritten corrections (Spaulding, 1926:2)



Having converted all of my documents to .txt, I used the concordancing software *AntConc* to search for the linguistic features I was interested in. I chose this software because: it is free, I have used it in the past and Martin Weisser, who has worked extensively with corpora describes it as, “The best free concordancer for Windows, Mac OS X and Linux that I know of” (Weisser, 2016, np). I mostly used the software to generate concordances like the one depicted in Figure 10. This gave me information about: word frequency and collocations. I could also click on ‘file view’ to see the word in its original context as Figure 12 shows.

Figure 12: Using concordance software – file view



To analyse hedging, boosting and attitude markers (Section 6.6.2), I found Hyland's book on *Disciplinary Differences: Social Interactions in Academic Writing* (2004) very helpful because Appendices Two and Three contain lists of vocabulary associated with these markers. However, the lists have to be treated with caution. For instance, it is crucial to check the context in which the words are used. This can be illustrated by two items on the lists: 'assume' and 'quite'.

Hyland (2004), in line with many others, categorises 'assume' as a hedging device¹³. However, in three instances, I found that 'assume' was used as a directive as in: "**Assume** I take my neighbour's car without permission. **Assume** further..." (Agnew, 2015). In another, 'assume' was used as meaning 'to take power' as in "Nadir... was urged...to **assume** the role of Shah for himself" (Dechan, 1938). If I had noted these examples as instances of hedging, without checking the context, it would have given a false picture. Similarly, Hyland categorises 'quite' as either a hedging or boosting device and, therefore, it was essential to check the context in order to determine how it was being used. In my case, I found eight instances of 'quite'. In two of the examples, 'quite' was being used as a hedging device:

... it is not quite clear that such a right exist... (Bulmer, 1925)

.... do not quite fit within either of the two.... (Agnew, 2015)

But, in the other six examples, 'quite' was being used as a boosting device:

However, quite clearly, it may conflict with... (Pearson, 2015)

...a solution for a question that is quite novel in International Law. (Lauterpacht, 1926)

...seems to arise quite naturally from the doubt... (McCown, 1938)

It is quite true that whatever has recourse to... (McCown, 1938)

...the two laws have developed along quite different lines. (Spaulding, 1926)

...it is not quite clear that such a right exists... (Bulmer, 1925)

Another reason the lists have to be treated with caution is that they are not comprehensive. In addition to corpus analysis, I reread all of the introductions for examples of language I was interested in. This uncovered items not on the lists provided by Hyland. Finally, it is worth

¹³ A hedging device is a way of making language more cautious/tentative. In direct contrast, a boosting device is a way of making language stronger/more assertive.

bearing in mind Silver's warning that categorising attitude markers is complex. Using the example of 'evidently' he illustrates how an attitude marker "*does not just mitigate or intensify a proposition, but points to the way in which prepositions become part of a wider argument (in co-text) and get involved in constructing writer and reader identity*" (Silver, 2003, p. 373). In other words, it is important to look beyond the decontextualized concordances that can be generated from lists of hedges, boosters and attitude markers.

Thus, while, overall, I found corpus analysis to be a quick and effective way of analysing style (Chapter 6) and use of literature (Chapter 7), it was vital to check the meaning of words in context and, if I had not combined corpus analysis with discourse analysis, I would have overlooked some interesting features. Corpus analysis works well if you know what you are looking for, but discourse analysis can reveal unexpected use of language.

3.7.4 Interviews and surveys

As previously discussed, a central feature of genre analysis is to move beyond the text to include the communities in which the texts were created. Swales argues "*We can and should aim for an insider 'emic' approach, even if we cannot always achieve it, because the effort involved in trying to become something of an insider will often produce pedagogical and educational benefit*" (Swales, 2019, p. 81). When I first began this research, I had worked at LSE for more than ten years, and I had worked with students in the law department for more than four years so I was not entirely an outsider. I had some understanding of LSE as an institution, I had some understanding of law as an academic subject and I had some understanding of the experiences of law students. However, as a member of the Language Centre, rather than the Law Department, and as someone with no direct experience of writing or supervising law theses at LSE, I was not an insider.

A common way to gain an 'insider perspective' is through interviews. Hyland, for example, believes that gathering interview responses is an important dimension of any analysis as it enables textual data to be interpreted as socially situated practice (Hyland, 2004, p. 139). Therefore, his data usually includes interview transcripts from disciplinary informants. The use of interviews and surveys is less common in diachronic analysis. For instance, it is not a feature of the work done by Bazerman (1988) or Atkinson (1992 & 1996). Nor is it a feature of more recent work (e.g. Ayers, 2008 and Gillaerts & Van de Velde, 2010), including diachronic analyses by Hyland and Jiang (2016a, 2016b, 2017a, 2017b & 2018). One reason is likely to be practical. For example, in this dissertation, I would like to have interviewed the students who wrote the theses in the corpora, and the academics who supervised them. This was not possible in the case of the historical corpus as the passage of time means that the authors and supervisors are no

longer living. And, it was difficult in the case of the modern corpus as all of the writers had graduated and were no longer in the university and, of the 13 supervisors, only five were still working at LSE.

Nonetheless, I believe that interviews and surveys can benefit diachronic analysis, just as they do synchronic analysis. In future research, I would like to conduct diachronic analysis in which interviews play a significant role but this would probably require identifying suitable interviewees before selecting texts and reducing the time span between corpora. What I was able to do in this dissertation was to contact the 31 students who were listed as currently doing a PhD Programme in Law and to request an interview. (I received responses from seven of the 31 students. Five agreed to an interview and two sent email responses to the sample questions I had sent). I was also able to contact the 26 academics who are currently acting as PhD supervisors in the LSE Law Department and ask them to respond to a short survey, receiving eight replies. The interviews and surveys in this dissertation are neither detailed enough, nor extensive enough to constitute a major part of my research. So, as is common with diachronic analysis, the core of my research centres upon texts and situational/historical contexts. However, the interviews and surveys provide insight into the current context of thesis writing in the law department at LSE in a way which would not have been possible through the methods described in Sections 3.6.1, 3.6.2 and 3.6.3 alone and, as such, the interviews and surveys contribute toward answering my research questions.

The rest of this section will explain how the interviews and surveys were designed (Sections 3.7.4.1. and 3.7.4.2) and analysed (Section 3.7.4.3). Ethical considerations are discussed in Section 3.8.4. First, however, a note about how I see the role of an interviewer/surveyor because, as Teegar (2009) notes, views differ. Metaphors linked to an objective epistemology see researchers as miners whose role is to extract knowledge (Kvale, 2007 and Fujii, 2017), or as archaeologists sifting for truth (Terry et al, 2017). Metaphors that are more in line with the constructionist epistemology of this dissertation see researchers as travellers who engage in dialogue to understand how people make sense of the world (Kvale, 2007 and Fujii, 2017), or sculptors who craft findings out of raw data (Terry et al, 2017). In this latter view, which I share, the researcher and respondents co-produce knowledge through engagement, and thus a reflexive and critical awareness of their relationship is important (Mann, 2011).

3.7.4.1 Interview design

The interviews I carried out were semi-structured interviews, rather than structured interviews, because these provided a chance to probe for more detail and/or ask supplementary questions

(Rubin and Rubin, 2005; Gill et al, 2008). I did not opt for unstructured interviews because I wanted comparable answers and for the interview to remain within topic parameters (Berg, 2007; Brinkmann, 2013). Except for questions designed to elicit basic information, such as *“Is English your first language?”*, questions were open-ended so as not to suggest particular answers and in order to encourage free, reflective responses (Lewis-Beck et al, 2003). For instance, *“In your view, what makes an effective thesis introduction?”* To give interviewees a clear idea of what the interview would cover, I emailed a list of questions in advance. This may have endangered spontaneous communication but it also gave interviewees time to consider answers before we met (Stanlick, 2011).

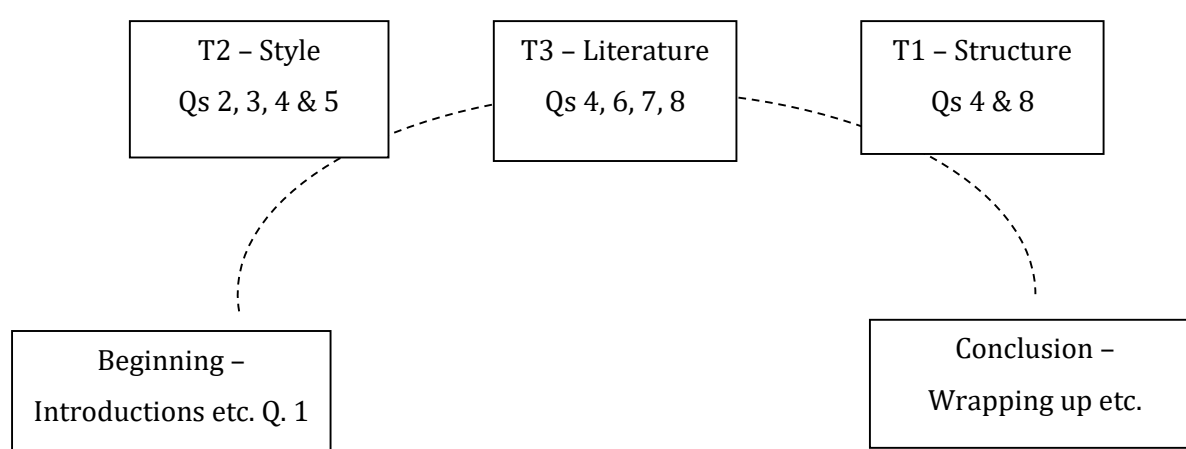
Ideally, interviews should take place face-to-face in neutral, quiet spaces (Summers, 2019). I suggested meeting in the PhD Academy which has an attractive social area in the library with free coffee and biscuits and sufficient space for a conversation without being overheard. More importantly, it is a space that PhD students know and one in which they hopefully feel relaxed and comfortable. I also offered to meet elsewhere if the students preferred. When asking questions, I tried to establish a working relationship (Fujii, 2017), be respectful, interested and clear (Teegar, 2019).

As an interview trajectory (Summers, 2019), after introductions, including a restatement of the interview purpose, signing of the interview information sheet, and some small talk, I began by asking the interviewees if English was their first language. This was in order to establish their language background (Q1) and because the experience of writing a thesis is likely to be different if English is a second language (Paltridge & Starfield, 2007). Interestingly, of the seven responses only four answered the question with a clear ‘yes’ or ‘no’. For three of the interviewees the responses were more nuanced. For example, *‘Yes, but I speak Swahili too. I’m from Kenya so I use both languages’* (Interview 2); *‘No, it’s French but I’m Canadian so I’m used to English’* (Interview 4) and *“No, it’s my primary language...it’s the language I have always written in academically”* (Interview 6). This reflects some of the difficulties with crudely trying to distinguish between ‘L1 speakers’ and ‘L2 speakers’.

I did not always ask questions in the same order but I usually began with questions about style, which is the focus of Chapter 6. One question was how interviewees feel about writing in English and, if English is not their first language, whether they write differently in English compared to their L1 (Q2). Another was if they had received any feedback from their supervisor(s) about their use of language (Q3). And a third was how they had developed their academic writing styles (Q5). Linked to Chapter 7, which is about the way writers use literature in their writing, I asked

interviewees what referencing style they use (Q7) how they access most of their reading materials (Q6) and which aspects of reading and/or writing they find most challenging (Q8). And, linked to Chapter 5, which is about structure, I asked interviewees what, in their view, makes an effective thesis introduction (Q8). A question with links to all three areas was whether interviewees had been given explicit advice on how to write their thesis, and if so, what (Q4). I concluded the interviews by reiterating an offer to proofread 2,000-words of the interviewee's work and further small talk.

Figure 13: Interview Trajectory



Transcriptions from the interviews can be found in Appendix Eight. How the interviews were analysed is discussed in Section 3.6.4.3 and the ethical considerations that arose are discussed in Section 3.8.4. Something else that should be noted is that English is my first language and, as I conducted the interviews in English, this may have created a power imbalance when interviewing students who are not native speakers. Although, having said this, all of my interviewees had excellent English and were highly articulate. Potentially more problematic is that I presented myself as someone who supports international students with academic writing and, as Hathaway (2015) notes, this type of EAP suggests “*a deficit model with the unstated implication that home students already have these competencies*” (2015, p. 507). ‘Social desirability’ can encourage respondents to present a positive image of themselves (Kühne, 2018) in order to maximize self-worth (Krumpal, 2011). And, in these interviews, it may have led respondents to give positive responses when asked about their feelings writing in English, feedback from supervisors or aspects of reading or writing they found challenging, rather than answering questions truthfully and accurately.

3.7.4.2 Survey design

In addition to interviews with current PhD students, I also sought input from current PhD supervisors. I opted for surveys rather than interviews for two reasons. Firstly, I am aware that PhD supervisors are time-poor. They are under pressure due to administrative workloads (Fazackerley, 2019), having to produce REF-able research, (MacDonald, 2017), and needing to improve teaching satisfaction (Harding, 2018; Carpenter, 2019). Secondly, when approaching academics at LSE, I am identified with the Language Centre. Thus, if I ask academics for their time, I am asking them for their good will, not only towards me, but towards the Language Centre more generally. This matters because we are currently engaged in a number of projects which rely on 'friendly academics' donating their time. For instance, to create videos for preessional students.

Consequently, I decided to send the supervisors a short survey using *SurveyMonkey* and, conscious of 'survey fatigue' in the institution, restricted the survey to three questions. Question One was about whether the supervisors were happy for students to use first person. Disciplines vary in their use of first person (Hyland, 2001) and a survey of LSE Law Working papers also shows variation. I was interested in seeing how much variation there was among supervisors. The other questions were open. One was about how supervisors would describe the ideal writing style for a thesis and, as such, provided context for Chapter 6. The other was more general and was about the main difficulties students had with. The aim was to see if issues related to structure, style or use of literature would emerge.

3.7.4.3 Analysis

The first stage of analysis involved compiling the data. For the surveys, this was straightforward as they were electronic and the responses can be found in Appendix Nine. For the interviews, it was necessary to transcribe the recordings. There are different approaches to transcription. One is to try and express speech exactly; another is to present text in line with written conventions (Nascimento & Steinbruch, 2019). I have followed the latter approach. This is partly because "...no amount of detail in representing how a sound is heard can guarantee how a transcript will be read..." (Coates and Thornborrow, 1999: 595, cited by Collins et al, 2019, p. 663). It is also because transcribing interviews is time intensive. I tried using electronic software but found it highly inaccurate (either because of the recording quality or range of accents), so transcribed most of the interviews manually. And, as Coates and Thornborrow state, "Unless phonetic or prosodic quality is central to the researchers' focus, or significantly marked in some way, little is to be gained from deviating from the standard orthography..." (Coates and Thornborrow, 1999: 595 cited by Collins et al, 2019, p. 663). The transcriptions from the interviews can be found in Appendix Eight.

In terms of analysis, some of the questions were of a quantitative nature. In the interviews, these included questions about whether English was the respondent's first language, which was used for background information when explaining the interview design (see Section 3.6.4.1), and questions about the choice of referencing styles, which is used in Section 7.4 when discussing whether footnotes have changed. In the surveys, these related to questions about the use of first person, which is referred to in Section 6.6.1 when discussing whether writing stance has changed. To analyse responses to these questions, I tallied the quantitative data and included any qualitative information that was relevant in the write up, such as the sometimes nuanced responses to the question of English being a first language and a comment from a supervisor who answered 'other' when asked if he/she was happy for students to use the first person.

To analyse the rest of the information, I used thematic analysis defined as, "*A method for identifying, analysing and reporting patterns within data*" (Braun and Clarke, 2006, p. 79). I began with 'familiarisation' which involved listening and re-listening to interviews, or reading and re-reading the survey responses and making 'casual observational notes' (Terry, Hayfield, Clarke & Braun, 2017, p. 13). An example is given in Appendix Ten. The questions in the interviews and surveys were designed to contribute to my three overarching research questions. Following familiarisation, I was able to link the data produced with my more specific research questions (See Figure 15). Ideally, the interviews and surveys would have been more in depth. However, for reasons previously explained, I was wary of imposing on my informants' time, and thus limited the questions posed.

Figure 14: Contribution of interviews and surveys to research questions

The interviews and surveys contributed to the three overarching research questions and to the specific research questions in bold.

Research Question One: Have structures and themes changed?

- Has the structure of theses in the corpora changed?
- Have the themes of theses in the corpora changed?
- Have the length and format of thesis introductions in the corpora changed?
- **Has the rhetorical structure of PhD thesis introductions in the corpora changed? (Interviews)**
-

Research Question Two: Have writing styles changed?

- **What is an academic writing style in the field of law? (Surveys & Interviews)**
- Has the readability of theses changed?
- **Has engagement changed? (Surveys & Interviews)**
- **Has stance changed? (Surveys)**
- **Have writing styles changed? (Conclusion) (Surveys & Interviews)**
-

Research Question Three: Has the use of literature changed?

- **Have bibliographies changed? (Interviews)**
- Have footnotes changed?
- Have citations changed?
- Has the use of quotations changed?

Following ‘familiarisation’, the next step suggested by Terry et al (2017) is coding. This is a process of data reduction and beginning to spot patterns. There are different approaches to coding. In some approaches, the emphasis is on reliability, which usually involves creating a code book, having two or more researchers code the text, and then examining the level of agreement to generate an interrater reliability score. Terry et al (2017) are critical of this approach, questioning whether accurate and objective coding is possible, or desirable and advocating an approach in which coding is more organic and flexible. They suggest codes can either be semantic (capturing explicit meaning) or latent (capturing implicit meaning),¹⁴ and that coding is either inductive (where the researcher works “bottom-up” to identify codes) or deductive (where the researcher already has possible codes, which are searched for in the data). This is similar to the different ways in which move analysis can be approached (See Section 3.7.2). According to Terry et al, a ‘good code’ meets the ‘take away data’ test; in other words, it is clear without needing to refer back to the data and (Terry et al, 2017, p. 12).

¹⁴ This keeps coding fairly simple compared, for example, to Saldaña (2015) who suggests seven categories of coding including ‘grammatical methods’ like ‘magnitude coding’ (ordinal evaluation of responses), ‘elemental methods’ like ‘in vivo coding’ (respondents’ words) and ‘affective methods’ like ‘emotion coding’ (emotions recalled or inferred) (Saldaña, 2015, p. 68).

However, as this dissertation is not primarily interview or survey based, and the data is not that extensive, I did not formally code the data. Instead, I read through the interview transcripts and survey responses and highlighted comments that provided insight into my research questions. Sometimes, the data pertinent to particular research questions was limited but extracts could be used to illustrate a narrative. For example, I begin Chapter 7 (how the use of literature has changed), with a comment from one interviewee that a major challenge was, "*finding my own voice and distinguishing myself from other writers, from the existing literature*" (Interview 5). At other times, the data could be used to provide a more analytical response to research questions. For example, how the rhetorical structure of thesis introductions has changed (Section 5.5) and what an academic writing style consists of (Section 6.2). In these cases, I colour coded relevant comments from the data and then collated them into a thematic map (see Appendix Ten).

To sum up, this research included interviews and surveys with PhD students and supervisors in the Department of Law at LSE. The interviews and surveys were not as extensive as I would have liked and, in future research, I would like to conduct more detailed interviews, particularly regarding the use of literature. Nonetheless, the interviews and surveys provide additional context regarding thesis writing in the law department at LSE and, as such, have value. This chapter now turns to the ethical considerations that arose during this research.

3.8 Ethics

This dissertation required a number of ethical considerations relating to the texts used to compile the corpora and the authors who wrote those texts, the way the texts were analysed and the interviews and surveys which were conducted.

3.8.1 Ethical considerations regarding texts and authors

In terms of the texts used to compile the corpora, one ethical issue concerned copyright. According to university regulations, any thesis written since 1975 can be photocopied provided a Copyright Declaration has been signed. This declaration states, "*The copyright of this thesis rests with the author. Quotation from it is permitted, provided that full acknowledgement is made. This thesis may not be reproduced without my prior written consent*". I ensured that all of the modern theses contained this declaration, I fully acknowledged quotations and I did not reproduce the theses – although sections can be found in Appendices 4 and 6 as samples of move analysis. For the historical corpus, copyright was different. University regulations state that theses written prior to 1962 can only be photocopied with the written consent of the authors. As many of the authors were no longer living, this posed a problem. I therefore emailed the Library who replied:

Your enquiry has been taken to both our Copyright Officer and the manager of LSE Theses Online. Their response is that you are permitted to take photocopies (or scans) of our older theses. As you are taking single photocopies for non-commercial purposes, these uses fall within the current exceptions to copyright law. Of course, you must still adhere to copyright rules in regard to limiting your photocopying to 10% of each work. You are also prohibited from publishing/circulating your copies without permission from the author.

Therefore, while I examined the full theses in the library, I only made copies of the introductions. These constituted less than 10% of each work.

A second ethical issue concerned using the theses in a way that was probably not expected by the authors. In other words, the authors probably expected their theses to be read, judged, and quoted from in terms of facts, ideas, arguments and contribution to knowledge. They probably did not expect their texts to be used for move analysis or analysed for style and use of literature.

Is it ethical to use texts in a way that their writer did not intend? Tierney and LaZansky note that

If a reader and his purposes are quite unlike that intended by the author..., then the reader should not assume that a contract between writer and reader has been effected. For example, if within a text a writer describes the changing color of leaves, but chooses not to address how they change, a reader should not elect to read that text for the latter purpose. (1980, p.6).

On reflection, though, I decided my use of texts was ethical. All of the writers will have had to consider how to make successful use of structure, style and use of literature when they wrote their theses and, while they may not have expected to have these aspects of their writing explicitly analysed in this manner, they will have been aware that, when making their theses visible, they cannot control the way in which the theses are read. Moreover, reading the texts with these elements in mind does not break a writer-reader contract in the way described by Tierney and LaZansky (1980) whereby a reader attributes a false communicative purpose to a text.

A third ethical issue was that I wanted to understand the context within which the theses were written and biographical information about the authors facilitated this. The authors of several of the 'historical theses' went on to have high profile public lives; thus, biographical information about them was publically available and I was able to discuss their lives in some detail. However,

this is not the case for the ‘modern theses’ whose authors are not, yet, public personas. For these authors, while I referred to their genders and nationalities, I respected their anonymity.

3.8.2 Ethical considerations concerning corpus analysis and move analysis

When it comes to corpus analysis and move analysis, two ethical issues arose. One ethical issue is that it is easy for the results to be presented as if they are ‘objectively true’. This is particularly true of the quantitative results from corpus analysis, which can lead to statements like “*I found a 14.4% increase in the use of hedges, a 24.1% increase in the use of boosters and a 27.0% decrease in the use of attitude markers*”. Such statements can mask the subjective choices that were made. For example, whether a word acts as a booster or not may be open to interpretation. In the sentence below, for instance, it is possible that the word ‘quite’ is operating as a booster. It is equally possible that it is acting as a hedge. The exact meaning is ambiguous even when looking at the wider context in which it is used.

*Indeed, if one were to examine the whole history of the term, one would find that the simple equation of imperialism with ‘self-interest’ has been a rare and **quite** conservative position. (Knox, 2015)*

I see presenting results as ‘objectively true’ and masking the subjectivity that lies behind them as ethically problematic. To mitigate against this, throughout this dissertation, I have tried to make it clear that I do not see my findings as ‘objective facts’. Nonetheless, it is still an impression that can be given particularly when presenting quantitative data.

Another ethical issue, linked to the subjectivity of move analysis, is that it was helpful to have colleagues check my analysis of ‘moves’ and ‘steps’ (Hyland, 2004). I was lucky to have two colleagues who were willing to do this out of friendship and/or intrinsic interest. However, such analysis is time-consuming and my colleagues have busy lives so I had to make sure I did not ask too much of them. Ideally, I would have liked all of the texts to have been analysed independently by another person but this would have been too much of an imposition so I asked them just to analyse some sections and for a second opinions regarding ‘tricky’ parts.

3.8.3 Ethical considerations concerning interviews and surveys

When conducting interviews and surveys with PhD students and supervisors, a number of ethical issues arose. In line with BERA guidelines (2018), information was given to all students and supervisors about my research. This was done in writing when I emailed and verbally at the start of each interview. Participants were given the opportunity to ask any questions they had about the research and were given the right of withdrawal at any time. Each participant signed

informed consent forms (see Appendix Seven), and was advised about what to do if they wished to raise a complaint. Also, all participants were guaranteed anonymity but knew that extracts of the interviews would appear in the thesis.

Something I had to be particularly mindful of was how I approached potential respondents and how I presented myself. As Trowler (2011) notes, when researching an institution in which you work, there can be conflicts between being a researcher and having a professional role. In my case, when emailing students to arrange an interview, I did so from an LSE email account, and introduced myself as an EAP teacher from the LSE Language Centre doing doctoral research on academic writing. I hoped that using my LSE credentials would encourage students to engage with me more than if I had presented myself as an outside researcher. I chose to present myself as an EAP teacher¹⁵, and a researcher, rather than in my more managerial role as Deputy Director of the Language Centre, because I felt this created a more even power dynamic. I hoped students would be motivated to speak to me for altruistic reasons (either as a fellow researcher who they could help, or as an EAP teacher whose research is intended to help students with academic writing). However, as an additional incentive, I offered to proofread 2,000-words of their thesis or any other written text¹⁶.

However, presenting myself as a member of the LSE Language Centre meant that I had to be particularly mindful of the demands I made on people's time, especially when it came to PhD supervisors. This was because, as previously mentioned, if I asked for people's time and good will to help me with my research, it might be harder to ask them for their time and good will to help us again with Language Centre projects like recording videos for our preessional students. Consequently, I asked supervisors to respond to a short 3-question survey rather than anything more extensive. I also wanted to keep the interviews short, and thus limited them to 15-20 minutes, because I know PhD students are often time-poor and was cognisant of the ethical dimensions of taking up interviewees' time (McGrath C. et al 2019).

Another ethical consideration is that writing can be challenging at any level but, as Cameron et al note, feelings of self-doubt can be particularly acute for doctoral students for whom the writing process is often a solitary one in which "*they experience their own writing in all its messiness, while the work they are reading seems to spring fully formed onto the page*" (Cameron et al, 2011, p. 271). This is perhaps even more true for international postgraduates writing in a new academic culture

¹⁵ This is not inaccurate. I teach English for Academic Purposes. I just have other responsibilities as well.

¹⁶ Note: only 2 of the 8 took me up on this offer.

who, as Cadman notes, may experience a loss of identity (1997). When interviewing PhD students, I had to be sensitive to the fact that they might be finding the writing process challenging.

After completing the interviews and surveys, another ethical consideration was how I used and stored the information I acquired (Kvale, 2008; Allmark et al, 2009). In terms of using the information, I have tried to ensure that the findings I report from the interviews and surveys are an accurate reflection of what the respondents said. If the interviews and surveys had been more central to my research, I would have asked the respondents to read my reports of how they responded to check for accuracy. As it is, when coding the interviews and surveys, I have focused more on explicit meaning than implicit meaning (Terry et al, 2017) because trying to capture implicit meaning, especially without some form of triangulation, carries a higher risk of inaccuracy.

For security, the interviews were recorded and the recordings were transferred to my computer to be stored on the LSE OneDrive Account. The original recordings were then deleted. The same process was followed for 'interview' responses given via email, and for responses given on SurveyMonkey. Access to the recordings is protected by a high strength password known only to me. And, all data will be deleted once this thesis has been completed.

3.8.4 Ethical considerations when writing about an institution

A final source of ethical considerations arose when naming the institution that I was researching as ethical research generally involves anonymity. As the BERA guidelines state, *"Researchers should recognise the entitlement of both institutions and individual participants to privacy, and should accord them their rights to confidentiality and anonymity"* (2018, Guideline 40). Nonetheless, researchers do sometimes identify the organisation they are researching, as Swales (2018) did in his 'textography' of The North University Building at the University of Michigan. And, the BERA guidelines also state that, *"approaches to this issue [anonymity of institutions] differ according to the type of research being undertaken: for instance, the maintenance of confidentiality and anonymity is not considered the norm for research using historical or archival data"* (BERA 2018, Guideline 41).

In my research, it would not have been possible to keep LSE anonymous while providing institutional context in the way I have done. I do not see this as ethically problematic given my research does not damage the reputation of LSE and that this dissertation was written for a limited audience. However, I also recognise that I promised anonymity to interviewees and

survey respondents, and that anonymity may be compromised given the details I have provided. For this reason, I will be cautious about disseminating the findings.

3.9 Chapter conclusion

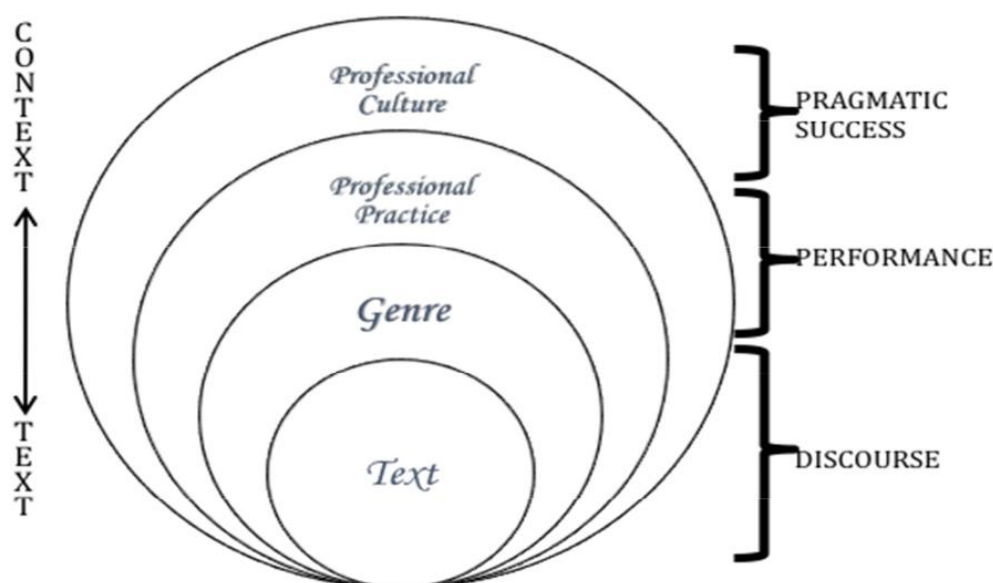
To sum up, in this chapter I described my research design. I began by outlining why I chose to use Crotty's (1998) framework to describe my research approach (Section 3.2). I then used this framework to explain why my epistemology is linked to social constructionism (Section 3.3), my theoretical perspective is best described as hermeneutics (Section 3.4) and I identify my methodology as genre analysis (Section 3.5). In Section 3.6, I described how I compiled my corpora. Then, in Section 3.7, I discussed my research methods namely: contextualising the genre through the use of background knowledge, textual clues and a survey of relevant literature (Section 3.7.1); move analysis (Section 3.7.2); corpus analysis (Section 3.7.3); interviews and surveys (Section 3.7.4). Finally, in Section 3.8, I outlined some of the main ethical considerations that arose. In the next chapter, I draw on a model from Bhatia (2004) to contextualise my texts.

Chapter 4: Context

4.1 Introduction to the chapter

Having introduced my research area in Chapter 1, reviewed key literature in Chapter 2 and explained the design of my research in Chapter 3, I use this chapter to place ‘text’ into ‘context’. To do this, I draw upon the “*patterns of discourse realisation*” identified by Bhatia (2004) and depicted in Figure 16. Thus, in Section 4.2 (“discourse as genre”), I contextualise the discourse in terms of the academic genre it represents, namely the PhD thesis. In Section 4.3 (‘discourse as professional/academic practice’), I contextualise the discourse in terms of the academic practice and culture of the LSE as an institution. In Section 4.4 (‘discourse as professional/disciplinary culture’, I contextualise the discourse in terms of law as an academic discipline. And, in Section 4.5, I provide a brief summary. To provide this context, I use a mix of background knowledge, textual clues and a survey of relevant literature as described in Section 3.71.

Figure 15: Overlapping levels of discourse representations (Bhatia, 2015, p.10)



4.2 Theses as a genre

I began by looking at the PhD thesis as an academic genre. In the UK, the PhD thesis, along with a viva, is usually the main way in which to achieve a doctoral degree. Typically, the thesis is a 100,000-word monograph whose goal is to demonstrate the candidate’s ability to conduct independent research that contributes to existing knowledge. The genre is a comparatively recent one. In medieval times, a doctoral degree enabled the recipient to teach but it was not recognition

of achievement in research and did not require the writing of a thesis (Simpson, 1983). The doctorate first acquired its status as a research degree in Germany, largely due to the efforts of Wilhelm von Humboldt, who founded the University of Berlin in 1810. Being awarded with a doctorate required successful attendance at seminars, submission of a thesis and passing a viva and the emphasis was on original and creative research (Simpson, 1983). From Germany the research degree spread to the United States and to Britain. Doctorates such as the DSc were introduced by the Universities of London, Edinburgh, Oxford and Cambridge during the 1870s (the earliest recorded at LSE is from 1904) but the first PhD was not introduced until 1917, first by Oxford University and then, within three years, by almost all British universities (Park, 2005).

Writing a PhD thesis is part of what Dunleavy refers to as the 'sorcerer's apprentice tradition' where:

...the supervisor will inculcate the right spirit in the doctoral candidate in a hand-crafted way, passing on the accumulated wisdom of the discipline orally, and commenting at length on the student's successive writing efforts, so as to help her work them up over several years into a big book (Dunleavy, 2003, p. 6).

However, there are calls for a national debate on the purpose of PhD study (Park, 2005) because "for some time this single-purpose qualification has no longer fitted the expectations of students and employers" (UK GRAD 2002, cited by Park, 2005:6). Critics point to the fact that: single-author monographs are outdated now that much research is a team effort, and that more attention needs to be paid to soft skills such as management, entrepreneurship and teamwork, which are an essential part of life beyond the PhD (Gould, 2016). As a result, theses are going through a "period of profound change" (Paré 2019:83), new forms of doctoral degrees are emerging (Park, 2005), and PhD theses are not coherent as a genre. Indeed, as Thompson notes: "*Theses constitute a genre in name...but it is clear that theses perform a range of highly complex communicative functions...[and] we might...benefit from viewing theses as composites of multiple influences and multiple genres*" Thompson, 1999, p. 51).

In 1925 LSE granted four PhDs; ninety years later, in 2015, LSE granted 201 PhDs. This illustrates how much higher education has expanded. At LSE, doctoral students in the field of law are told that their thesis must:

*...form a distinct contribution to the knowledge of the subject and afford evidence of originality by **the discovery of new facts** and/or by the exercise of **independent critical power***” (LSE, 2018, p. Section 36.1).

This is not dissimilar from the guidelines for LLD students in the handbook from 1925, which also highlight the importance of independent work and refer to “the discovery of new facts” as a possible outcome of the research (see overleaf):

*He [the candidate] shall submit a Dissertation or Thesis, printed, type-written or published in his own name, treating scientifically some special portion of the subject so stated, embodying the result of **independent** research, or showing evidence of his own work, whether conducted **independently** or under advice, and whether based on the **discovery of new facts** observed by himself, or of new relations of facts observed by others, or, generally **tending to the advancement of Science**.*

Compared to the historical guidelines, the modern guidelines are more specific about what constitutes a successful thesis. In addition to the above, they also state that the thesis must:

*...give a critical assessment of the relevant literature, describe the method of research and its findings, and include a discussion on those findings, and indicate in what respects they appear to the candidate to **advance the study of the subject**; and so demonstrate a deep and synoptic understanding of the field of study”* (LSE, 2018, p. Section 36.2).

As this shows, both sets of guidelines underscore the importance of advancing existing knowledge. However, in the modern guidelines, doctoral students are told they should advance the “*study of the subject*” rather than “*Science*”. This is in line with changing views about law as an academic discipline.

Something which is important to note is that a PhD thesis is a very different genre from a research article. A thesis is usually written for educational purposes. The writer must research a subject in depth and show how his/her research contributes to knowledge in order to be rewarded with a doctoral degree. Often, the thesis will only be read by a tiny number of people who are obliged to read the thesis even if it is dull and uninspiring making it what Shaw calls rather a “*pseudo communicative task*” (1991, p. 194). In contrast, a journal article is usually written for career

advancement, with the writer aiming to establish credibility in, and contribute to, a field.¹⁷ Publishing journal articles is often necessary to pass academic reviews, and thus gain promotion, and writers of journal articles are writing for at least two audiences: firstly the editorial board who will decide whether or not to publish the article; and secondly, for the people who will read the journal and who could be students or academics from anywhere in the world. Once the journal article is published, it will only be read if it can attract the attention of readers and engage them once they start reading. These differences are important because, as I know from my own teaching experience, EAP teachers sometimes apply research based on journal articles to genres like doctoral theses, overlooking the many differences which exist.

4.3 Theses as academic practice

Having discussed the PhD thesis as a genre, both in general and at LSE, I now shift my focus to 'academic practice' and take a look at the ethos of the London School of Economics and Political Science (LSE). This was founded in 1895 by four members of the Fabian Society: Beatrice Webb, Sydney Webb, George Bernard Shaw and Graham Wallas, the first three of whom are shown from left to right in the photograph below.

Figure 16: The founders of LSE (Unknown, 1930, National Portrait Gallery)



¹⁷ Note; there are signs this is changing and that thesis writers need to be more aware of 'impact'. As Conner (2017, np) states "*The research pot is shrinking and the number of PhD graduates wanting a job is not! If you are writing an application for a funded PhD position...you will now see a box marked 'impact summary' or similar on every single application form*".

The Fabian Society is a socialist organisation committed to non-violent political change. Its vision was that LSE would be:

...a centre not only of lectures on special subjects but an association of students who would be directed and supported in doing original work...Above all, we want the ordinary citizen to feel that reforming Society is no light matter and must be undertaken by Experts specially trained for the purpose" (Webb, 1894, p. 340).

The school's arms, including its motto and beaver mascot, were adopted in February 1922, just three years before the first thesis in the corpora was completed. The Latin motto, *Rerum cognoscere causas* means 'to know the causes of things', and the beaver mascot was purportedly selected for its associations with foresight, constructiveness and industrious behaviour.

Figure 17: The LSE Motto and Coat of Arms



LSE acquired a reputation for radicalism which Cox (2019) does not think is entirely deserved but attributes to its socialist founders, to prominent academics employed by LSE like Ralph Miliband and Harold Laski (both Marxist proponents) and to students who came from around the globe and were often interested in changing the world and vocal in their critique of capitalism. As Mair (2003) puts it "*The LSE had a celebrated radical tradition as the hothouse for Labour and developing world liberation leaders*". However, he goes on to point out that:

...by the 60s it had lost much of that. The spirit of Sidney and Beatrice Webb, and the legendary socialist and LSE lecturer Harold Laski, had become that of the right-wing economist (Lord) Lionel Robbins...Walter Adams, the former principal of University

College Rhodesia [and] Michael Oakeshott, the distinguished conservative philosopher (Mair, 2003, n.p.)

Today, LSE is probably better known for producing bankers than revolutionary thinkers. Given the nature of LSE as an institution, the topics chosen by doctoral students might be expected to have a transformational aim. However, as Chapter 5 uncovers, this is far truer of theses in the modern corpus than in the historical corpus.

4.4 Theses as academic culture

As previously stated, the theses I examine were all written in the discipline of law. To understand the disciplinary context in which they were written, this section now outlines key developments in law as an academic discipline, both in England and at LSE. However, it should be noted that the concept of an academic discipline is complex (Becher, 2006). For instance, students doing an LLM at LSE can specialise in 14 different areas. Moreover, interdisciplinary research is becoming more popular in the contemporary international university (McGrath, 2016) and the boundaries between law and other disciplines can be blurred or dynamic (Trowler, 2014a).

Although England has a well-established legal system, law was not established as an academic discipline in English universities until the end of the 19th century. According to Gower, until the seventeenth century, the Inns of Court and Chancery had provided “*a reasonably thorough system of education but by the eighteenth century this had ceased and, ‘keeping terms’ no longer meant attending readings and taking part in moots but, merely, as it does today, eating dinners*” (Gower, 1950, p. 189). Thus, in the mid-1800s, there were various attempts to reform legal education, which included plans to establish law in university. These plans succeeded to a degree but, for many years, the study of law in English universities “*was only a small-scale enterprise centred on Oxford and Cambridge, and three London colleges, University, King’s and the LSE*” (Wilson, 1987, p. 820).

As an academic discipline, law has faced a number of identity issues. Where is its place in the university? Is it a liberal art, a science, a social sciences or a professional subject? This dilemma is effectively summarised by Wilson who stated:

... law schools could not match the style of scholarship set by the arts nor produce anything resembling the research or reports of it of the natural sciences. Nor did legal scholarship seem apt to produce theory of the kind that characterises some of the social sciences or the analytical and predictive techniques developed by others...Law’s main claim to a place in the university had been that it was desirable

that future members of the legal profession should have a university education. Yet even as a professional subject it has never cut a figure either in the real world or the world of research that for example medicine has. (Wilson, 1987, p. 819)

William Blackstone, who was appointed as the first professor of common law at Oxford in 1758 (although law was not taught at Oxford at this time), argued that law should be taught as part of a broader “liberal education” at university stating that the study of law would “*flourish best in the neighbourhood of...other arts*” (Krook, 2018, p. np). However, when law was first established as a university subject in England in the late 1800s, it was generally talked about as a science in line with the generally ‘*scientific spirit of the age*’ (Wilson, 1987, p. 822).

As a science, law was seen as a method of discovering and applying objective legal principles but, as the field of law expanded, this view of law became less tenable and it was suggested, by some, that law would be better viewed as a social science (Hutchinson & Duncan, 2012). While seeing social science as “*the discipline towards which legal scholars should turn*” (Rubin, 1996, p.553), Rubin argues that, “*...the language barrier between legal and social science discourse is higher than the one between English and French, German or Italian*” (Rubin, 2001, p. 2). His view is that

Social science is a separate discipline from law because it perceives itself as separate, and that perception is based on its further perception that it is describing reality. Legal scholarship, by its own account, makes no such claim. to the extent that it describes anything, it describes a human artefact, and its main claim is that it can prescribe alternative approaches” (1997, p. 543).

Thus, while he believes that law can learn from other disciplines, he believes it exhibits a unique stance towards its subject matter.

At LSE, law has been a central discipline since the school was first founded in 1895 and the law department prides itself on having pioneered law both as an academic subject and as a branch of the social sciences. The first prospectus for LSE listed nine legal subjects which would be taught including commercial and industrial law. The areas of law now studied have expanded to include banking law, human rights, taxation law, civil litigation, company law, labour law, family law, aspects of welfare law, and studies of the legal system and the legal profession. Many of these areas were “*first taught and examined systematically from an academic perspective at the LSE*” (LSE Law Department, 2018) and the Law Department claims legal studies in the Department have “*a distinctive, interdisciplinary character*”. Throughout the twentieth century the LSE also

led the way in the development of public law creating what it describes as a “*distinctively ‘modern’ or ‘functionalist’ approach to the subject*” (LSE Law Department, 2018).

Between 1925 and 2015, many changes have occurred in the study of law and this has had an impact on the theses I examine. Writing, in 1987, Wilson outlined some of the changes he had seen. One was dwindling interest in empirical research and increased importance of theory:

...the old notion of scientific study...which consisted of setting out general principles and organising one’s material in a logical position within them has been replaced by an approach which stresses the supreme importance of theory both as a threshold to any inquiry and as the object of the inquiry as well (Wilson, 1987, p. 825).

This is certainly borne out by some of the theses I analyse with earlier works more likely to describe what the law was and how it worked than to have a theoretical stance. A possible explanation is what Feldman refers to as “*a transformation of the academic discipline of law*” (Feldman, 2004, p. 473) such that “*a growing gulf stretches between legal scholarship and the practices of lawyers and judges*” (Feldman, 2004, p. 487). Although, in 1988, Rubin stated that “*as an academic discourse, the most distinctive feature of standard legal scholarship is its prescriptive voice, its consciously declared desire to improve the performance of legal decision-makers*” (Rubin, 1988, p. 1847), it would seem that academics are no longer writing primarily to and for practitioners in the hope of effecting change in legal and judicial practice.

A related change, observed by Wilson, was increased emphasis on the impossibility of value free inquiry and thus the need for scholars to be aware of their values and to make them explicit. This corresponds to a debate that has existed within the discipline of law for generations between ‘positivism’ and ‘natural law’. A positivist legal philosophy insists that law is not referable to any kind of extraneous moral idea, it is a question of social fact; in contrast, the natural lawyers claim that law has a moral dimension (Rundle, 2010).

A modern illustration of this debate is described by Orford (2014) who contrasts the views expressed at the 2012 meeting of the American Society of International Law by the then US Department of State Legal Adviser Harold Koh and a German academic Jörg Kammerhofer. Koh argued that international law should aim to develop nuanced approaches that might deliver lawful and durable solutions to complex global problems. This implies the role of international law is to promote the common good, which is in line with a natural law philosophy. In contrast, Kammerhofer defended the value of modern positivism in confronting complexity in international

law and argued that law should “*be kept free from all those elements foreign to the specific methods of a science whose only purpose is the cognition of law*” (Kammerhofer, 2013:365 cited in Orford 2014:372).

The debate is reflected in some of the theses I examine. For example, in the historical corpus, Lauterpacht (1926), who is one of the writers, spends much of his introductions discussing what he refers to as the “*modern positivist tendency*” which he rejects as inadequate while, in the modern corpus, one of the theses “*articulates a normative theory of international law based on new natural law theory*” (Searl, 2014). In both these cases, the writers are in the natural law camp rather than the positivist one. Rubin believes law has to be seen as normative. He says,

There was once a time when legal scholars did lay claim to objectivity. They believed they were engaged in the process of discovering true legal principles that stood above and beyond the ordinary sphere of law, or that they were tracing the implications of principles that had been discovered....it is now essentially defunct; current scholarship, at least in its more sophisticated and self-conscious form, maintains that social choices determine our legal system, and that the very grandest forces that inform these choices are cultural norms, not general and enduring principles of Law itself. (Rubin, 1988, p. 1855)

However, while writers in the modern corpus are more likely to take a theoretical approach than writers in the historical corpus, they do not often discuss their values. As Hutchinson and Duncan comment, legal research “*is often so implicit and so tacit that many working within the legal paradigm consider that it is unnecessary to verbalise the process*” (Hutchinson & Duncan, 2012, p. 99). To support their statement, they cite research which examined 60 law theses written in 2010 and found that only 38 of the 60 law theses included any discussion of the methodology.

A key area of change identified by Wilson (1987) was in the quantity and spirit of the literature which legal scholars were expected to read. Not only were legal scholars in 1987 expected to read more than earlier legal scholars, they were also expected to read more widely and to have a deeper understanding of non-legal literature from fields such as philosophy, economics, politics and sociology. This is a trend which has continued to the present day abetted by changes in technology which have made literature from any part of the world much easier, quicker and less expensive to access. Chapter 7 looks at the impact this has had.

Wilson (1987) is critical of many of the changes he observed, particularly attempts to make the study of law more like the study of other academic disciplines. He argues that:

One of the main features of the study of law is that it groups together matters which no-one else would consistently group together and ignores other matters which others would regard as relevant. It is this very lack of consistent interest and concern on the part of any other discipline that is one of the main justifications for treating law as an autonomous unit of study (Wilson, 1987, p. 828).

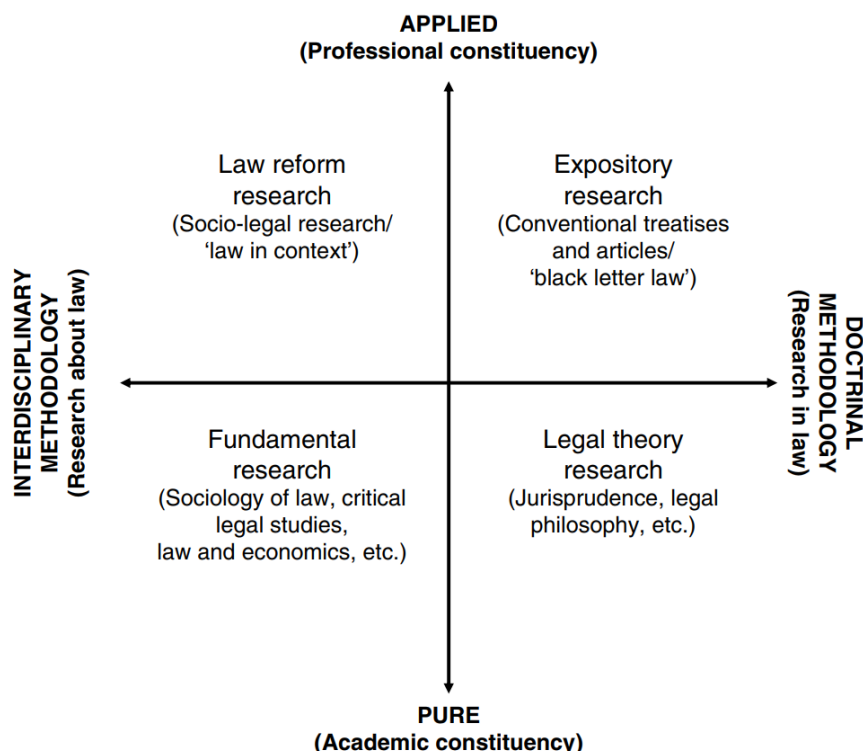
I think this quote is interesting because it highlights the complexity of trying to understand law as an academic discipline. On the one hand, it has a distinct identity in that it is not like other disciplines studied at university. On the other hand, its identity is hard to define and is perhaps best defined as eclectic. Indeed, the question has even been raised as to whether law is an autonomous academic discipline or “*merely an object of academic research that borrows its conceptual framework from the humanities or the social sciences*” (Dagan, 2015, p. 43)¹⁸. This has an impact on trying to understand the introductions of legal theses as a genre. The genres which are most consistent and stable are those with a strong sense of identity like job application letters or letters of complaint. Genres which lack a strong sense of identity are harder to pin down.

According to Wilson (1987), legal scholarship has not, but should, embrace a growth in comparative law and an expansion in the geographical boundaries of legal study with “*the legal systems of the whole world in all their variety and detail...[lying] at the heart of legal scholarship*” (Wilson, 1987, p. 833). Nonetheless, legal theses written at LSE have always had a very overseas nature. Topics of the early theses include: Latin American contributions to the development of overseas law (1911); a history of the Bosphorus and the Dardanelles with special reference to treaty relations (1925); a comparative and critical study of Great Britain and the United States (1926); the legal principles governing the overseas status of Egypt (1928) and questions of overseas law in Anglo-Iranian diplomatic relations (1938). The modern theses feature the law applied to rural China, Russia, Brazil and Sudan, as well as overseas law more broadly. Moreover, LSE has always attracted a large number of overseas scholars, which is likely to give legal theses written at LSE a distinct character. As Saadia Sajid, an undergraduate in the LSE Law Department, says: “*coming to an institution which is so international really shapes the way that you view things*” (LSE Law Centenary Film, 2018).

¹⁸ The conclusion in this case was that “law is a serious academic discipline...[that] should reject both assimilation [into other disciplines] and isolation” (Dagan, 2015, p. 60)

General consensus seems to exist that law draws on methodologies from many other disciplines including “hermeneutic, argumentative, empirical, explanatory, axiomatic, logical and normative techniques” (Hutchinson & Duncan, 2012, p. 113; Brouwer, 2017). One way of categorising legal research is depicted in Figure 19.

Figure 18: Legal research styles (Chynoweth, 2008, p. 29)



LSE favours interdisciplinary methodology in the applied quadrant. Moreover, as Ross Cranston, Professor of Law at LSE comments, the Law Department at LSE:

...practised law in context well before that term was invented... for over 100 years, the Law Department at LSE has taken this broader approach to law, that law is part of the broader society and economy and to understand law you have to really appreciate the context in which it operates” (LSE Law Centenary Film, 2018).

His comments are echoed by Fatima Adhash, a PhD student in law at LSE, who says “From the very first day as an undergraduate, you are taught to see law in its social, political and cultural context, and to think of it, not just as a set of regulatory practices but also a normative phenomenon that constructs and constitutes the reality it purports to regulate” (LSE Law Centenary Film, 2018).

4.5 Summary

To sum up, this section drew upon the “*patterns of discourse realisation*” identified by Bhatia (2004) to contextualise ‘discourse as genre’ (Section 4.2), discourse as professional/academic practice (Section 4.3) and ‘discourse as professional/disciplinary culture’ (Section 4.3). To do this, it used a mix of background knowledge, textual clues and a survey of relevant literature, as described in Section 3.7.1. What this section has revealed is that: the thesis is complex and evolving as a genre, LSE is complex and evolving as an institution and law is complex and evolving as a discipline. In the next few chapters, the texts in the corpora are analysed for structure and theme (Chapter 5), writing style (Chapter 6) and use of literature (Chapter 7).

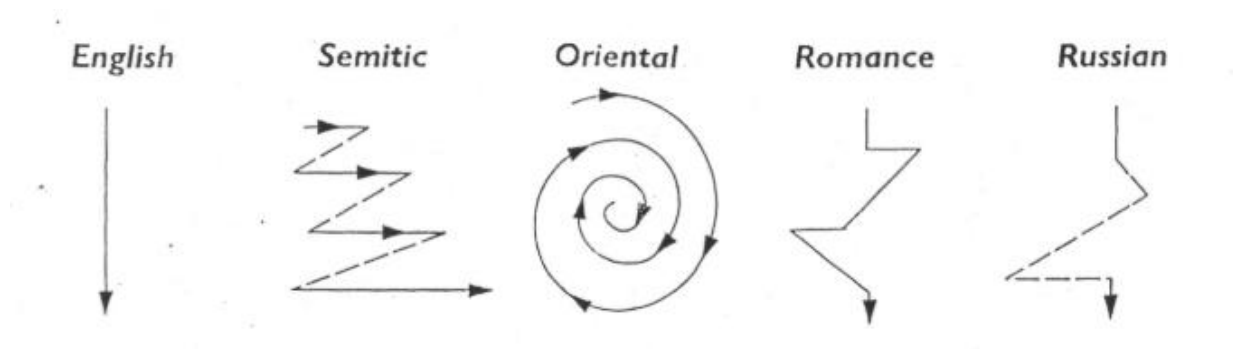
Chapter 5: Have structures and themes changed?

5.1 Introduction to the chapter

It is common to begin genre analysis and diachronic analysis with a broad survey of the texts and to look at aspects like the overall structure, text length, themes, and the use of headings (for example, Bazerman, 1980, Bunton, 2002). This chapter starts by doing exactly that. It first looks at thesis structure, uncovering a trend towards greater standardisation (Section 5.2). It then reviews the thesis topics chosen by writers in the two corpora and finds that, in addition to new areas of law having developed, there has been a shift from descriptive accounts of the law towards accounts which are more critical/normative¹⁹ (Section 5.3). After that, in Section 5.4 it focuses on the length and format of introductions. This provides clear evidence that, in general, the length of introductions has increased, and introductions are now more likely to be divided by headings.

After this, the chapter focuses on the rhetorical structure of the introductions (Section 5.5). Having clearly structured texts is important in academic writing and, although how to structure a text, may not be seen as a language issue, it is often a feature of EAP classes, partly because it provides a context within which to understand lexico-grammar (as Swales illustrated in 1990, different language is associated with different rhetorical ‘moves’ and ‘steps’) and partly because students may not be familiar with academic patterns of discourse in English. The patterns of discourse put forward by Kaplan in 1966 (and shown in Figure 20) have been criticised for stereotyping cultures and presenting discourse as static.

Figure 19: Patterns of discourse (Kaplan, 1966, p.14)



¹⁹ Here, I am referring to ‘normative’ in the sense of being evaluative, not purely factual i.e. ‘positive’ (Solum, 2003). I am not using the term ‘normative’ to refer to a positivist research paradigms (Cohen, Manion, & Morrison, 2002).

Nonetheless, there is evidence that what is seen as structurally appropriate may differ according to language and/or culture. For instance, Nicola Owtram, who taught doctoral students at the European University Institute in Italy, notes:

One day a group of Italian students and I were talking about the structuring of English writing and they commented that they would never put text together in the way that an English writer does. One aspect they mentioned was the way in which ideas are introduced and then referred to again in discourse. (Owtram, 2012, p. 12)

In short, as students often appreciate guidance on how to structure writing, and as many EAP teachers see their role as being to introduce students to academic culture not just language, rhetorical models have a well-established place in the EAP classroom.

By using move analysis, Section 5.6 shows that the moves and steps used in the corpora have evolved, and thus it is important for rhetorical models not to be seen as static. It also shows that moves and steps vary within each corpus and that, as Devitt says, “*Students could benefit from instruction in not only the shared genredness of that writing but also the uniqueness of what they must actually perform*” (2015:45). Finally, the section shows that the CARS (Creating a Research Space) model put forward by Swales for writing the introductions of research articles is not a good fit for the introductions of legal theses and that EAP teachers should be cautious about invoking the CARS model as a model for academic introductions in general.

5.2 Has the structure of theses in the corpora changed?

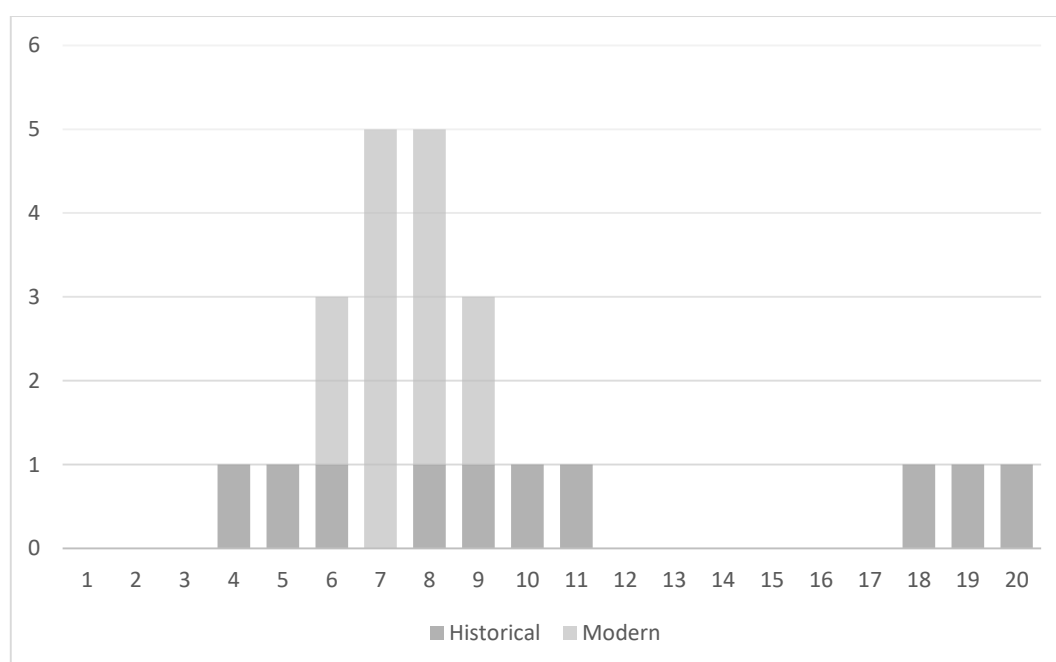
All of the modern theses are approximately 100,000-words long, but there is no standardisation when it comes to the historical theses which vary from 168 pages in length to 603 pages. In terms of overall structure, the modern theses are also fairly consistent. They all begin with a title page, which is usually followed by an abstract, acknowledgements and page of contents (although there is some variation as to whether the acknowledgements are placed before, or after, the abstract). Bibliographies are invariably placed after the main body, as are appendices. There is some flexibility in terms of lists and/or tables. These are usually placed at the end of the theses but are occasionally placed at the beginning (in two out of ten cases). And, overall, the identity of each component is clear. For instance, the abstracts summarise the theses as a whole; while the introductions introduce the research; there is a clear distinction.

The historical theses were less consistent. Although they all began with a title page, only seven had contents pages and only three had bibliographies. Unlike the modern theses, the

bibliographies were placed before the main body. Lists or tables of cases, legislation or abbreviations were less common than in the modern corpus but, where they existed, were always placed before the main body. Three theses contained a 'preface' and two theses had a 'summary'. However, the identity of these components was not consistent. Thus, in one case the summary was short and like an abstract, the other detailed the content of each chapter in the way that is now more standard at the end of a thesis introduction. Similarly, while one preface acted as an abstract, another was used to make some personal comments about the research and the third served as the thesis introduction.

When it comes to the main body of the theses, Paltridge (2002) found that the standard published advice is to divide a thesis into five sections: Introduction, Literature Review, Methods, Results and Discussion (IMRD). However, Johns and Swales found that only 15% of the examples they examined followed this structure (2002), and as previously mentioned, most legal theses do not follow it. Of the theses I examined, most had a separate chapter for the introduction and conclusion, but the main body was then divided thematically. What was notable when comparing the historical corpus and the modern corpus was, again, a trend towards standardisation. This is depicted in Figure 21 below, which shows how the historical theses are divided into anywhere from four to twenty chapters, with no two the same, while the theses in the modern corpus are all divided into the region of six to nine chapters with the majority (eight out of ten) being divided into either seven or eight chapters.

Figure 20: The number of chapters in each thesis



5.3 Have the themes of theses in the corpora changed?

The study of law is inextricably linked to the political, social and economic context within which it is formed and operates. Over the last ninety years, the context has changed in many ways and this is reflected in the thesis themes. In the modern corpus only one thesis (King, 2015) focuses on the Treaties of the European Union (TFEU) but the European Union (EU), which was founded in 1993, is now a key area of study at LSE. As the departmental website states, an LSE academic published the first major English language textbook on European Union law and, since then, some of the leading monographs and textbooks on the subject have been written by faculty. Similarly, new areas for research have evolved from the creation of international bodies like the United Nations (UN) in 1945 and international criminal tribunals like the International Criminal Tribunal for the former Yugoslavia (ICTY), which one of the theses in the modern centres around. In sum, in the intervening years between the historical corpus and the modern corpus, many new areas of law have opened up.

An examination of thesis themes reveals a shift from describing the law as it is, to describing the law as it should be. In both corpora, international law emerges as a topic, but the focus differs. In the historical corpus, the focus is largely on describing existing laws. This includes describing the status of river treaties for the Bosphorus and Dardanelles (Bulmer, 1925); describing British extraterritorial jurisdiction in Europe, the Near East and the Far East (Watson, 1927), describing international law with regard to Egypt (Fahmy, 1928) and describing the legal status of Anglo-Iranian relations (Dekhan, 1938). It also includes looking at how overseas law interacts with private law (Lauterpacht, 1936) and municipal law (McGown, 1938).

In the modern corpus, the theses on international law have more of a focus on morality. One thesis focuses on the role of international law in governing climate change and preventing hunger positing that the law reinforces a certain way of thinking about hunger which needs to be addressed in order to change global food relations and formulate alternative ways of combating hunger (Saab, 2015). A second thesis looks at the legal right to self-determination in the context of climate change and the Atoll Island States, stressing the implications for human rights and proposing a collective decision-making framework for Atoll Island people (Willcox, 2015). And, a third thesis examines a “*normative theory of international law based on new natural law theory*” arguing that international law should promote and demonstrate respect for human rights and should also protect and promote the international common good (Searl, 2014, Abstract).

Taxation is also an important area of research at LSE; the Law Department website boasts of having “*the oldest tax LLM programme in Europe*”, being “*a very active centre for research in*

taxation" and offering "*good opportunities for PhD students interested in this field*". Taxation was a theme for two of the theses in the historical corpus: one thesis compared income tax in the US and UK (Spaulding, 1926) and another looked at how British income tax applied to 'resident foreigners and non-residents' (Smith, 1927). None of the theses in the modern corpus examines taxation but, between 2007 and 2017, I found four theses which did and, as with international law, what was notable was they focused much more on societal reform. For example, one thesis proposed a new approach for corporate group taxation (Correia, 2010), another analysed how environmental laws can lead to behavioural change and thus be more effective at controlling pollution (Dias Soares, 2011); the third analysed international taxation and developing countries with the aim of challenging the current legal debate (Calich, 2011), while the fourth, and most recent, looked at how Nigeria's tax system perpetuates corruption and should be reformed (Oghenevo Ovie Akpomiemie, 2017).

Notions of morality extend to other theses in the modern corpus. For example, one thesis looks at how food has become a commodity to be speculated on, and how this creates 'food insecurity', calling for financial regulation to prevent this (Chadwick, 2015). Another thesis examines the meaning and function of conscience in commercial law doctrine (Agnew, 2015), and a third attempts to reconcile religious freedom with gay rights (Pearson, 2014). The shift from positive to normative is not universal. For instance, Zhanwei's (2015) thesis on family planning regulations implementation at grassroots level in rural China is more a description of 'what is' than 'what should be'. And Finlay (1938), who writes about property and the law of contract, comments "*It has been impossible to keep it within the limits of an objective study of legal doctrine: rather it has become a study of the effects of a legal doctrine in solving, or attempting to solve, the problems to which it has been applied, and of the alternative solutions that might have been adopted*" (Finlay, 1938 p.16), showing his thesis has a normative element. However, on the whole, the modern theses are more likely to contain value judgements.

Lastly, I have not yet mentioned Neumann's (1936) thesis on the governance of the rule of law, which draws together strands from politics, law and society. This multi-faceted approach is considered important at LSE, as illustrated by the Editorial Notes from the inaugural copy of *The Modern Law Review* (MLR)²⁰ in 1937. The notes, written by Lord Chorley, who worked at LSE, proposed a shift in the approach to law. They stated that hitherto law had been dealt with almost

²⁰ The MLR is considered the preeminent UK law periodical. It was founded in 1937, a year after Neumann's thesis was completed, and has close links to the LSE (for example all seven of the General Editors have worked at LSE).

exclusively in terms of technical aspects and the historical, analytical or descriptive views thereof. However, Chorley argued this *“isolates the law too much from those social conditions in which it must always operate and cannot therefore be safely used as an exclusive method of legal thinking”* (Chorley, 1937, p. 1). A focus on society and politics in combination with law is part of what LSE considers its distinctive approach, and Neumann’s (1936) thesis is in the vanguard of this.

5.4 Have the length and format of thesis introductions in the corpora changed?

As noted in Section 5.2, the overall structure of theses has become more standardised. However, standardisation is less evident when it comes to the length of introductions: in both the historical and modern corpora, the length of theses introductions is variable ranging from 5 pages to 33 pages in the modern corpus and from 3 pages to 51 pages in the historical corpus. A trend which does seem clear however is for introductions to have become substantially longer. The average length of the introductions is 28 pages in the modern corpus and 12 pages in the historical corpus. The average length in the historical corpus would have been even lower if it had not been for one 51-page introduction, which is an outlier. When this introduction is discounted, the average length of the introductions in the historical corpus falls to 7.1 pages.

Another area in which the modern thesis introductions differ from the historical ones is that the introductions in the historical corpus rarely used headings (two out of ten), while the introductions in the modern corpus all do so. In some theses, the section headings are topically specific. For example, *“Race against the clock to increase food production”* (Saab, 2015), *“The legal structure of intermediation and its implications on the investor’s rights”* (Zaccaria, 2015) or *“Why should we care about climate change inundation?”* (Willcox, 2015). In other theses, the section headings are more generic. For example, *“The research question and methodology”* (King, 2015), *“Research parameters”* (Chadwick, 2015), or *“Research objectives”* (Zhang, 2015). The generic headings provide an indication of the writers’ concerns and are shown in Table 4, with the column on the right showing the number of times the headings appear. As one would expect, the concerns of thesis writers are not entirely the same as for the writers of research articles. Thus, the generic headings include methodology and definitions, which are not features of the CARS model for research article introductions put forward by Swales (1990). From a diachronic perspective, the generic headings found in the modern theses also indicate that writer’s concerns have changed as will become clearer in Section 5.5.

Table 4: Generic section headings from the modern corpus of legal thesis introductions

Section heading	Quantity
Introduction	10
Thesis structure/outline/description	5
Research parameters/the scope and limits of the thesis	4
Methodology/method/thesis perspective/conceptual framework	4
Context/Background	3
Objective / research question	2
Definitions	2
Conclusion	2
Argument	2
Thesis topic	1
Related concepts	1
Literature review	1
Difficulties of analysis	1
Contribution to knowledge	1

5.5 Has the rhetorical structure of PhD thesis introductions in the corpora changed?

Having conducted a broad survey of the texts, this chapter now turns to the rhetorical structure of PhD introductions. When asked for their views of what makes a good thesis introduction, the doctoral students I consulted identified the importance of introducing and/or contextualising the topic or problem (Interviews 4, 5, 6 and 7), persuading the reader that the thesis explores an interesting or important issue (Interviews 1, 5 and 6), explaining how the thesis contributes to the field (Interviews 3 and 5), being concise (Interviews 1, 4 and 5) and having a thesis outline (Interviews 1, 4, 5 and 7). They also mentioned the importance of “*engaging*” (Interview 2) “*grabbing*” (Interview 3) or “*catching*” (Interview 6) the reader’s interest, “*mak[ing] sure they are excited to read what follows*” (Interview 5) and giving “*an intriguing exposition of the general argument of the thesis*” (Interview 1). One student stated that, probably, the most important consideration is “*Making sure the introduction conveys to the reader that they are in safe, competent hands...and not just for the purposes of examination but also for a wider readership*” (Interview 5). Overall, the responses illustrate a high degree of consensus and a concern for the impact of the text on the reader. The extent to which that consensus translates into rhetorical structure will be explored below.

5.5.1 The results of move analysis

The moves which emerged in each corpus are illustrated quantitatively in Tables 5 and 6. An immediate observation is that, overall, the theses in the modern corpus contain more moves than the theses in the historical corpus, up from 61 moves to 120 moves²¹. Another observation is that the modern theses contain more embedded moves, in other words moves “*when the rhetorical aims typical of a particular move are found within another move*” (Soler-Monreal, Carbonell-Olivares, & Gil-Salom, 2011, p. 7). Overall, this indicates a trend towards thesis introductions having a more complex overall structure.

What the results also show is that almost all of the introductions have sequences of text which are identifiable as the three moves first proposed by Swales (1990), namely: Establishing a Territory (Move 1, hereafter M1), Establishing a Niche (Move 2, hereafter M2) and Occupying the Niche (Move 3, hereafter M3). There were three exceptions: one in the historical corpus and two in the modern corpus. In these cases, the authors did not explicitly ‘establish a niche’ (M2). Overall, M2 seems to be occurring less frequently: in the historical corpus, it accounted for 32% of all moves but in the modern corpus, it accounts for 29%²². In contrast, both M1 and M3 show small increases in frequency, up from 30% to 31%²³, and from 38% to 40%²⁴ respectively. How important this is will be discussed in Section 5.6.4.

According to the CARS model put forward by Swales (1990), moves should generally appear in sequence transitioning from Move 1 (M1) to Move 2 (M2) and then to Move 3 (M3). Of the 20 introductions I examined, 14 began by ‘establishing a territory’ (M1) (seven in each corpus) but four introductions began with ‘occupying the niche (M3) and two began with ‘establishing a niche’ (M2). Thus, beginning with M1 is certainly not obligatory in either corpus. This finding is borne out by other researchers. For example, Bunton (2002), Soler-Monreal (2011) and Kawase (2018) all found a sizeable minority of introductions which did not begin with M1²⁵.

While it is clearly not obligatory to begin PhD introductions with M1, ending the introductions with M3 does seem to be common-place: Bunton (2002) found that 42 out of 45 PhD

²¹ This figure includes the 10 embedded moves.

²² This includes the 5 embedded moves.

²³ This includes the 3 embedded moves.

²⁴ This includes the 1 embedded move.

²⁵ Bunton (2002) found that 7 out of 45 introductions did not begin with M1; Soler-Monreal et al (2011) found that 5 out of 10 introductions did not begin with M1 and Kawase found that 5 out of 20 introductions did not begin with M1.

introductions ended with M3; Soler-Monreal (2011) found this to be the case in 9 out of 10 introductions; and Kawase (2018) found it to be true for 19 out of 20 introductions. In my case, all of the introductions in the modern corpus ended with M3. However, four of the introductions in the historical corpus did not, indicating possible a shift in rhetorical structure.

Table 5: Move sequences in the historical theses

(M1 = Move 1, M2 = Move 2, M3 = Move 3).

Text	Move Sequences	M1	M2	M3	Total
1	M1, M2, M1, M3, M2, M3, M2, M3	2	3	3	8
2	M1, M3, M2, M1, M3	2	1	2	5
3	M2, M3, M1 [M3], M2, M3, M1, M2, M3	2	3	3 [1]	9
4	M1, M2, M3	1	1	1	3
5	M1, M2, M1, M2, M3, M2, M1	3	3	1	7
6	M3, M1, M3, M2, M3	1	1	3	5
7	M3, M1, M2, M3, M2, M3, M2, M3	1	3	4	8
8	M1, M3, M2	1	1	1	3
9	M1, M3, M1, M3	2	0	2	4
10	M1, M2, M3, M1, M2, M3, M1, M2, M3	3	3	3	9
Total number of moves		18	19	23 [1]	60 [1]
Number of moves as a percentage		30%	31%	38% [1%]	100%

(Samples can be found in Appendix Four)

Table 6: Move sequences in the modern theses

(M1 = Move 1, M2 = Move 2, M3 = Move 3, [M] = embedded move).

Text	Move-Step Sequences	M1	M2	M3	Total
1	M1 [M3], M2, M1, M2, M1 [M2], M2, M1, M3, M2, M1, M3, M3 [M2], M1, M2, M3, M1, M3, M2, M3	7	6 [2]	6 [1]	19 [3]
2	M1, M2, M3, M1, M3, M2, M3	2	2	3	7
3	M2 [M1], M1 [M2], M1, M2, M1, M2, M3, M2, M1, M2, M3, M2, M3, M3 [M2], M3	4 [1]	6 [2]	5	15 [3]
4	M3 [M1], M3, M2, M1, M3, M2, M1, M3, M1, M3, M1, M3, M1, M3, M1, M3	6 [1]	2	8	16 [1]
5	M1, M3, M1, M1 [M2], M2, M3, M2, M3, M2, M3	3	3 [1]	4	10 [1]
6	M3 [M1], M3, M1, M3	1 [1]	0	3	4 [1]
7	M1, M3, M1, M3, M1, M3, M1, M3, M1, M3	5	0	5	10
8	M1, M3, M3 [M2], M3, M2, M3, M1, M3	2	1 [1]	5	8 [1]
9	M1, M2, M1, M3, M1, M2, M1, M2, M3	4	3	2	9
10	M1, M2, M1, M2, M1, M3, M2, M3, M3 [M2], M3, M2, M3, M2, M3, M2, M3, M2, M3	3	7 [1]	8	18 [1]
Total number of moves		37 [3]	30 [7]	49 [1]	116 [11]
Number of moves as a percentage		29% [2%]	24% [5%]	39% [1%]	

(Samples can be found in Appendix Five)

Having established that writers do not always begin PhD introductions with M1 but often conclude them with M3, to what extent does the transition suggested by Swales of M1-M2-M3 hold true? As shown by Table 7 below, it would seem that very few PhD introductions transition from Move 1 (M1) to Move 2 (M2) and then Move 3 (M3) in a single progression: I only found one example out of a corpus of 20 and this was in the historical corpus. Bunton (2002) uncovered a similarly low quantity, namely, three out of 45; Soler-Monreal et. al (2011) found no examples in their English-medium corpus²⁶; and, Kawase (2018), as I did, found one example out of 20.

The structure of M1-M2-M3 was present as a move cycle though. In other words, it appears along with other moves in combinations such as: M1, M2, **M1, M2, M3**, M2, M1. Overall, I found seven examples of M1-M2-M3 in the historical corpus and five examples the modern corpus. Nonetheless, M1-M2-M3 was not the most frequent cycle in either corpus, and it is the only move cycle out of the four I examined to have become less frequent over time, falling from second place to last place.

In recognition of the complexity of longer introductions, like those found in doctoral theses, Swales suggests there may be multiple iterations of M1-M2 cycles before transitioning to Move 3 (2004). I found an increase in this cycle, up from two instances in the historical corpus to 11 instances in the modern corpus, but an M2-M3 cycle was more common with six instances in the historical corpus and 17 instances in the modern corpus. Moreover, in my case, as for Soler-Monreal et. al (2011), the most common sequence of all was M1-M3, with nine instances in the historical theses and 21 in the modern theses.

²⁶ They did find four simple M1-M2-M3 structures in the Spanish corpus (40% of the total) and conclude that the English PhD structures have a more complex structure (2011:8)

Table 7: Move cycles

M1-M2-M3	Historical	Modern
1 cycle	4	3
2 cycles	0	1
3 cycles	1	0
Total number of cycles =12	7	5
M1-M2	Historical	Modern
1 cycle	2	1
2 cycles	0	2
3 cycles	0	2
Total number of cycles =10	2	11
M1-M3	Historical	Modern
1 cycle	5	5
2 cycles	2	1
3 cycles	0	1
4 cycles	0	0
5 cycles	0	1
6 cycles	0	1
Total number of cycles = 28	9	21
M2-M3	Historical	Modern
1 cycle	2	2
2 cycles	2	2
3 cycles	0	2
4 cycles	0	0
5 cycles	0	1
Total number of cycles = 15	6	17

What does all this mean? At this stage, five main conclusions can be drawn. Firstly, few of the introductions were structured in the way suggested by Swales' (2004) Creating a Research Space (CARS) model, which was designed for research articles, and which is widely seen as being valid for that genre (Hirano, 2009). This lends support to the idea that there are generic differences between PhD theses as an educational genre and research articles as a professional genre, and that the two genres should not be conflated which, in my experience, is sometimes the case in EAP classrooms.

Secondly, although Bunton's (2002) revised version of the CARS model was designed for PhD theses, it still suggests that introductions follow a linear M1-M2-M3 sequence. However, my findings cast doubt on M1-M2-M3 being the most popular move sequence. In this, I agree with Ono (2017), who analysed thesis introductions in the field of literature, and Kawase (2018), who analysed thesis introductions in the field of applied linguistics but differ from Soler-Monreal et al (2011) who analysed thesis introductions in the field of computing. It would appear there are disciplinary differences in the rhetorical structure of thesis introductions, in the same way that there are disciplinary differences in the structure of theses as a whole. This highlights the importance of taking discipline into account when teaching academic writing.

Thirdly, like Ono (2017), I found that individual thesis introductions displayed considerable rhetorical and organisational variations. Ono believes that, "*instead of following a fixed and often linear model, writers...need to develop their argument on the subject matter and thesis structure in their own way*" (Ono, 2017, p. 486) and thus proposes the 'Open-CARS model' which "*is expected to enhance the writer's open and creative options in writing the introductory chapter, rather than a closed and restrictive set of options*" (Ono, 2017, p. 486). Her 'Open-CARS model' presents 'moves' as inter-linked circles, not linear blocks. I find the model persuasive although it lacks the narrative clarity of the CARS model.

Fourthly, M2 appears to be optional, unlike M1 or M3. Explanations from the literature about why M2 is sometimes missing vary. Soler-Monreal et al (2011) found that Spanish-medium thesis writers sometimes omitted M2 but that English-medium thesis writers did not. They see the strategy of 'establishing a niche' (M2) as self-promotional and suggest Spanish-medium thesis writers are more likely to omit M2 than English-medium thesis writers because they are not part of the crowded 'Anglo-American market' and thus have less need to vie for attention (2011, p. 8). This explanation seems convincing but does not explain why writers in the modern corpus omitted M2 more frequently than writers in the historical corpus. Indeed, nowadays, there is arguably a greater need to compete for attention than in the past due to the increased number of PhD students and the global nature of research.

Ono (2017) puts forward a different explanation. Unlike Soler-Monreal et al (2001) she found that M2 was always present in Japanese theses, but not in English theses. The interviews she carried out suggested that "*Japanese thesis writers need to establish the niche firmly to differentiate their research from other Japanese thesis writers' research in the small domestic community*" (Ono, 2017, p. 485). In contrast, British PhD supervisors were more likely to stress the importance of M1 'establishing a research territory' than M2 'establishing a niche' because English thesis writers

“need to engage the larger global discourse community by providing adequate background information about a research territory and topic and stating the importance of the topic” (Ono, 2017, p. 485). Again, this explanation sounds convincing but, as Section 5.6.4 suggests that M3 is the most dominant move, it could be the case that students are omitting M2 in order to progress swiftly to M3.

My view as to why M2 is occasionally missing is that, while the narrative of moving from ‘establishing a research territory’ to ‘establishing a research niche’ to ‘occupying the research niche’ has an appeal in the way it moves from general to specific, in real situations, a fuzziness exists around move boundaries. Thus, while one writer may ‘establish a research niche’ by ‘identifying a problem’ in the field (M2), another may perform a similar function through ‘making a claim for the centrality’ of the problem (M1) or through ‘identifying the research aim’ as being to solve the problem (M3). In other words, boundaries are not clearly defined, which may lead to M2 merging with M1 or M3. This provides further support for moving away from a linear rhetorical model and toward a model which, like the open-CARS model recognises blurred lines.

A final conclusion from the moves analysis is that there is evidence of diachronic change. The thesis introductions in the modern corpus contain more moves overall than the theses in the historical corpus. They also contain embedded moves, which are not present in the historical corpus. This paints a picture of increased complexity. In addition, there have been shifts in how frequently each move occurs, with a slight decrease in M2 and slight increase in M1 and M3 (how meaningful this is will be discussed in the next section). There have also been shifts in move cycles so, while M1-M3 remains the most popular move cycle in each corpus, the move cycle M1-M2-M3 has fallen from being second most popular to begin least popular (out of four). This serves as a reminder that genres are dynamic not static.

5.5.2 The results of steps analysis

In this section, I focus on steps rather than moves. Table 8 summarises how often each step occurs in each corpus. As with moves, this shows a trend towards growth: the overall quantity of steps in each corpus has more than trebled from 118 steps to 371. Each individual step has also increased in quantity. However, although the overall quantity of steps associated with each move has increased, the percentages of steps associated with Move 1 (M1) and Move 2 (M2) have decreased (from 22% to 13% and from 21% to 14% respectively), and it is only in M3 that the percentage of steps has increased (from 46% to 60%). This suggests that M3 has grown in importance.

Table 8: Move Analysis of the Historical Theses

Move	Step	Quantity (Historical)	% (Historical)	Quantity (Modern)	% (Modern)	Overall % Trend
Move 1	1	20	16.9	36	9.7	Down
	2	6	5.1	10	2.7	Down
Total		26	22.0	46	12.4	Down
Move 2	3a	10	8.5	17	4.6	Down
	3b	1	0.8	18	4.9	Up
	3c	8	6.7	10	2.7	Down
	3d	6	5.1	10	2.7	Down
	3e	0	0	1	0.3	Up
	3f	0	0	2	0.5	Up
Total		25	21.1	58	15.7	Down
Move 3	4	12	10.2	22	5.9	Down
	5	1	0.8	26	7.0	Up
	6	10	8.5	36	9.7	Up
	7	2	1.7	7	1.9	Up
	8	5	4.2	31	8.4	Up
	9	3	2.5	10	2.7	Up
	10	4	3.4	19	5.1	Up
	11	1	0.8	14	3.8	Up
	12	3	2.5	23	6.2	Up
	13	10	8.5	24	6.5	Down
	14	2	1.7	13	3.5	Up
Total		53	44.8	225	60.6	Up
Move- Variable	15	9	7.6	16	4.3	Down
	16	1	0.8	6	1.6	Up
	17	5	4.2	20	5.4	Up
Total		14	12.6	42	11.3	Down
OVERALL STEPS		118		371		n/a

The picture created by comparing the percentage of steps in each move is different from the picture created by comparing the frequency of each move (as in Section 5.5.3). When comparing move frequency, the differences that emerged between each move were slight, with diachronic change suggesting a small decrease in M2 and a small increase in M1 and M3 (see Figure 22). However, move frequency only specifies how often each move occurs; it does not indicate how complex each move is. In contrast, when comparing the percentage of steps associated with each

move, M1 shows a decrease, not an increase, M2 continues to show a decrease and only M3 shows an increase. Moreover, it is evident that M3 contains substantially more steps than either M1 or M2 and that this difference has intensified over time, indicating that M3 is growing in importance and complexity (see Figure 23).

Figure 21: A comparison of how often each move occurs

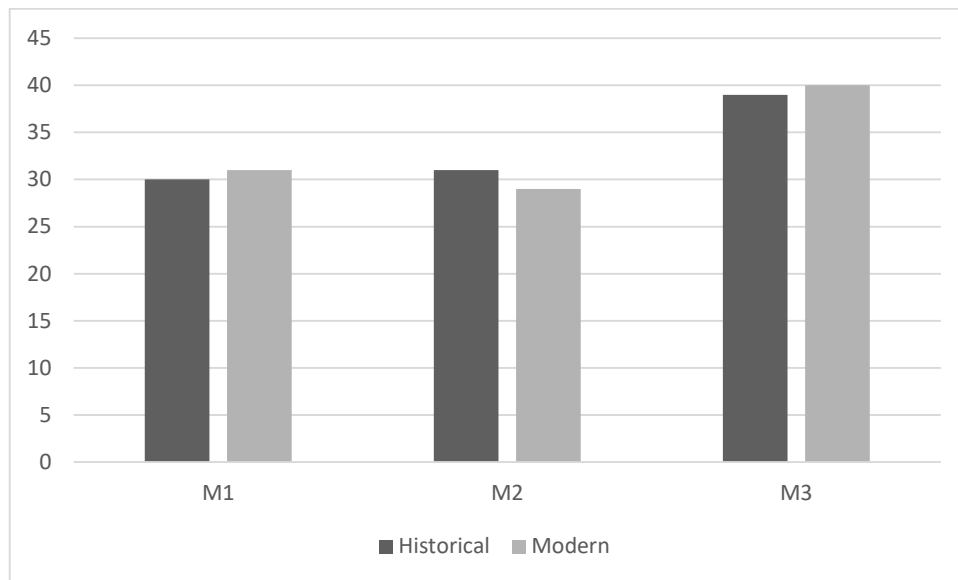
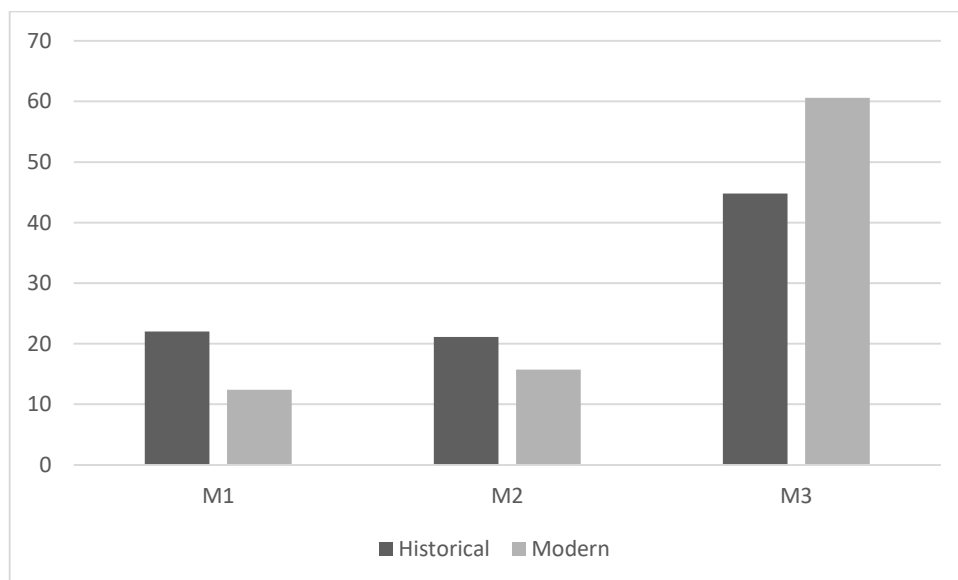


Figure 22: A comparison of the percentage of steps within each move



To take a closer look at diachronic change, this section now turns to the steps within each move, beginning with M1.

4.6.4.1 Steps which occurred in Move One (M1)

The steps which occur in each of the introductions are shown in Table 9 below. In both corpora, Step One (S1) 'making topic generalisations' is a universal step. Indeed, it is hard to imagine an introduction which would not make topic generalisations. What is more interesting about this step is the choice of topics which was detailed in Section 5.3 and shows a trend towards a more theoretical and normative focus.

Table 9: The steps which occur in each introduction

	Old Theses											Modern Theses										
	1	2	3	4	5	6	7	8	9	10		1	2	3	4	5	6	7	8	9	10	
Move 1: Establishing a territory																						
1 Topic											100%											100%
2 Claim for centrality											60%											60%
Move 2: Establishing a niche																						
3a Debate / uncertainty											50%											80%
3b Gap or weakness											10%											40%
3c Problem or need											70%											60%
3d Questions raised											60%											60%
3e Counter-claim											0%											10%
3f Continuing tradition											0%											20%
Move 3: Presenting the writer's research (occupying the niche)																						
4 Research aim											70%											100%
5 Research question											10%											60%
6 Research approach											60%											90%
7 Theoretical position											10%											20%
8 Argument /conclusion											20%											90%
9 Defence against possible critiques											20%											40%
10 Contribution											20%											70%
11 Chapter structure											10%											50%
12 Thesis structure											20%											100%
13 Scope/parameters											60%											80%
14 Research limitations											20%											70%
Move-variable steps																						

15 Definitions											50%										90%
16 Personal comment											10%										20%
17 Literature review											40%										90%

Making explicit claims about the centrality or importance of the research (S2) is less common than making topic generalisations; the step is used by 60% of writers in the historical corpus and 60% of writers in the modern corpus, so is clearly not required. This may well be because thesis writers are usually writing for a limited readership and will have already negotiated the research focus with one of their main readers, their supervisor. Thus, they may not feel a need to underscore the centrality or importance of the research because this will already have been established. In contrast, the writers of research articles are writing for a much wider audience, and for an audience with whom they have not already been in dialogue. They may therefore feel more need to promote the relevance of their topic.

However, it may also be a feature of discipline rather than genre. Samraj (2002) analysed research article introductions from two related fields: Conservation Biology and Wildlife Behaviour finding that centrality claims were far more common in the former (used by 100% of writers) than the latter (used by 50% of writers). So, there is clearly variation within research articles as a genre. Moreover, in contrast to my own findings, after analysing PhD introductions in the field of computing Soler Monreal et al concluded that centrality claims were “*crucial*” (2011, p. 10) due to their almost universal presence. Thus, there is also variation within PhD theses as a genre.

Some examples of explicit claims about the centrality or importance of the research (S2) are shown below:

Example One:

The Eastern Question...is a perennial matter, although its phases have changed in the transition from the ancient to the mediaeval, and from the mediaeval to the modern world. The importance of the question, politically, geographically and economically, may be readily demonstrated by... (Bulmer, 1925)

Example Two:

The issue of climate change inundation demands our attention because of the unique challenge it presents to the state, which provides the international legal personality and political infrastructure through which individual and collective human rights are protected... (Willcox, 2015)

Overall, it would seem that, in my context, topic generalisations are essential in M1 but making explicit claims about the importance of the research topic is not. Where writers do make centrality claims, there has been a shift from making claims about the importance of the topic to the field of law, which was the case for all writers in the historical corpus, to making claims about the importance of the topic for the real world as well, or instead of, for law (four out of six writers). This mirrors the shift in topics from defining, or comparing laws, to focusing on the transformative effect law can have on society.

4.6.4.2 Steps which occurred in Move Two

When it comes to Move Two (M2), it is most common to 'establish a niche' through identifying a debate or area of uncertainty (S3a) and this step has seen an increase, used by 50% of writers in the historical corpus and 80% of writers in the modern corpus. The debate or uncertainty may be practical, rooted in case law or legislation, or it may be theoretical, rooted in jurisprudence (legal philosophy) or the rule of law.

Example One:

...the uncertainty as to the persons to whom the Law applies and which sections of the Acts are to be applied appears to grow rather than diminish directly one leaves the beaten track of those persons who clearly live and have their livelihood within the United Kingdom or Northern Ireland and nowhere else. (Smith, 1927)

Example Two:

Commercial certainty depends to a great extent on the meaning and function of legal concepts being clear, stable and easily understood by commercial actors...Yet, judges frequently invoke the idea of conscience²⁷... (Agnew, 2015)

It is also fairly common to establish a niche through identifying a problem or need (S3c), and though raising questions (S3d); these two steps are used by 70% of the authors in the historical corpus and 60% of the writers in the modern corpus. Again, the focus here could be practical or theoretical although the overall shift, as has previously been noted, is toward being theoretical. Sometimes, multiple steps can be attributed the same text as in the example below which identifies a debate, problem and question.

²⁷ The writer spent the previous paragraphs illustrating how unclear the concept of conscience is.

Example:

The question of gay rights, including non-discrimination laws, same-sex marriage and broader claims for social recognition, has become part of this culture war and indeed perhaps one of its most contested issues. (Pearson, 2014)

In neither corpus is it particularly common to 'establish a niche' by identifying a gap or weakness in previous research (S3c) (up from 10% to 40% of writers), making a counter-claim (S33) (up from 0% to 10% of writers) or continuing a tradition (S3f) (up from 0% to 20% of writers). This is probably due to the nature of law as a discipline. Law does not build on empirical research in the way which is common for scientists. Thus identifying gaps or weaknesses in such research or making counter-claims about the implications does not arise. Similarly, scholars are not likely to continue a research tradition in the way that I am doing in this dissertation by building on the EAP tradition of genre analysis.

4.5.4.3 Steps which occurred in Move 3

In Move Three (M3), which is where writers present their research or 'occupy their research niche', it has become critical to clearly state research aims (S4) (up from 70% of writers in the historical corpus to 100% of writers in the modern corpus). However, in neither corpus do the majority of writers explicitly state their research questions or hypotheses (S5) (only 10% of writers in the historical corpus and 60% of writers in the modern corpus). Initially, I found this surprising; Bunton (2002) found that only 8 out of 45 writers in his corpus identified research questions or hypotheses, but that 100% of the 'Social Science' writers did. However, as previously mentioned, law does not generally follow an 'empirical' research tradition whereby research begins with a research question or hypothesis to be tested and then 'proved', adapted or discarded. Moreover, when I returned to the texts to investigate, I discovered that, in at least three of the theses in the modern corpus, there are statements which I had identified as 'research aims/objectives' but which could also be construed as research questions (see below):

Example One – Modern Corpus:

This thesis seeks to explain the meaning and function of conscience in commercial law doctrine. (Agnew, 2015)

(Possible research question: What is the meaning and function of conscience in commercial law doctrine?)

Example Two – Modern Corpus:

This thesis seeks to construct a normative theory of international law that is grounded in new natural law theory. (Searl, 2014)

(Possible research question: What could a normative theory of international law grounded in new natural law theory be?)

Example Three – Modern Corpus:

This thesis considers how conflicts between religious claims to be free to act in discriminatory ways and the right not to be subjected to sexual orientation discrimination should be addressed in law. (Pearson, 2014)

(Possible research question: How should the law address conflicts between religious claims to be free to act in discriminatory ways and the right not to be subjected to sexual orientation discrimination?)

Similarly, in the historical corpus, research aims implied research questions, although these tended to be more general and to have less of a theoretical dimension than in the modern corpus. This can be seen by contrasting the thesis aims listed above with those listed below:

Example One – Historical Corpus:

This essay is an attempt to bring together and explain, primarily from the legal point of view – it is believed for the first time – the treaties and regulations which have governed the Dardanelles, the Bosphorus and the Black Sea. (Bulmer, 1925)

(Possible research question: What are the treaties and regulations which have governed the Dardanelles, the Bosphorus and the Black Sea?)

Example Two – Historical Corpus:

The purpose of this work is to treat of the question of international law in the Anglo-Iranian diplomatic relations. (Dekhan, 1938)

(Possible research question: What issues arise in international law regarding Anglo-Iranian relations?)

Example Three – Historical Corpus

The object of this thesis is to discuss the problem of International Law involved in the Egyptian question from the second half of the nineteenth century until the present day. (Dekhan, 1928)

(Possible research question: What is the problem of International Law involved in the Egyptian question from the second half of the nineteenth century until the present day?)

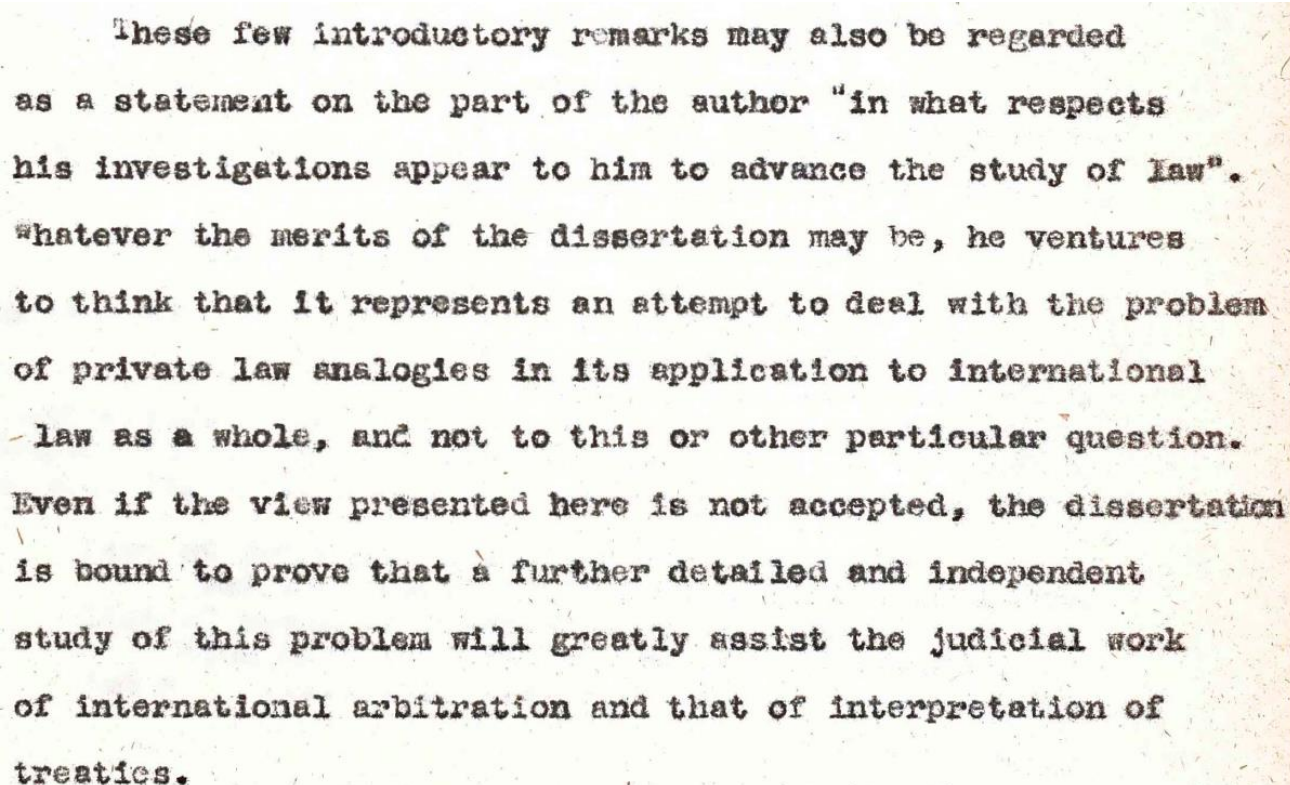
In Example One from the historical corpus, the writer validates his aim because he claims to be analysing a legal area “*it is believed for the first time*”. However, the task is arguably less theoretical than: analysing the meaning and function of conscience in commercial law doctrine (as in Example One from the modern corpus); trying to construct a new theory (as in Example Two from the modern corpus); or commenting on what the law *should* do, rather than what the law does do (as in Example Three from the modern corpus). In Example Two from the historical corpus, the writer goes on to provide an in-depth examination of diplomatic relations between the UK and Iran (over 500 pages) tracing their historical establishment and detailing specific areas of tension. However, the writer’s focus is almost exclusively on what the issues are, rather than how they should be addressed. In Example Three from the historical corpus, the writer is explicit about avoiding normative judgements stating later in his thesis that, “*...my sincere endeavour has been to confine myself to the legal aspect of the question. I have refrained from discussing the moral merits of the issues involved and have carefully abstained from drawing conclusions from controverted points of fact*” (Fahmy, 1928: III).

Another change is that, in the modern corpus, all of the writers describe their thesis structure (S11) but, in the historical corpus, only 20% of the writers do, a clear sign that this step has changed from optional to essential. In addition, writers in the modern corpus are more likely to use metalanguage to explain the structure of the introduction (S11) (50% of writers compared to 10% of writers). They are also more likely to describe their research approach (S6) (90% of writers compared to 60% in the historical corpus) and mention research limitations or weaknesses (S14) (70% of writers compared to 20%). Plus, they almost always use the introduction to put forward arguments and draw conclusions (S8) (90% of writers), a step rarely seen in the historical corpus (20% of writers). The only step to remain relatively consistent in frequency is outlining research scope or parameters, which is important in both corpora (S13) (up from 60% of writers to 80% of writers). It is not very common for writers in either corpus to be explicit about their theoretical position (S7) or pre-emptively defend themselves against

possible critiques (S9), a step which may be more pertinent if writers are defending their research method(s).

Given the emphasis on a thesis “*tending to the advancement of Science*” (LSE, 1925) or “*study of the subject*” (LSE, 2018), I was surprised that only two of the writers in the historical corpus explicitly stated their contribution to knowledge (S10), although one writer very explicitly addressed his contribution to knowledge in his preface as Figure 24 shows.

Figure 23: Extract from Lauterpacht (1926: V)



These few introductory remarks may also be regarded as a statement on the part of the author “in what respects his investigations appear to him to advance the study of law”. Whatever the merits of the dissertation may be, he ventures to think that it represents an attempt to deal with the problem of private law analogies in its application to international law as a whole, and not to this or other particular question. Even if the view presented here is not accepted, the dissertation is bound to prove that a further detailed and independent study of this problem will greatly assist the judicial work of international arbitration and that of interpretation of treaties.

The two writers who explain their contribution to knowledge in their introductions are not as explicit. One links his contribution to knowledge to the fact that “*surprisingly little study*” has been done in an area of importance stating:

A comparative study of the income tax laws of these two great English-speaking nations [the US and UK] is, therefore, not premature. Indeed, it is badly needed, for surprisingly little study has been given by the legislators of either country to the income tax laws of the other. (Spaulding, 1926)

The other makes the case that it is important to know the law in an area of conflict between two 'great nations', implying a gap but not explicitly identifying one:

...it is a matter of no little moment to know what rules are, in fact, regarded by the national judiciary as forming part of those laws obligatory upon one state and its citizens in the sphere of international relations, and with this purpose in mind the present work has made a detailed examination of the judicial pronouncements of the two great nations whose views on many points of the law of nationals are commonly believed to be diametrically opposed to each other [the US and the UK] (McCown, 1938).

When we turn to the modern corpus, most writers are very explicit about their contribution to the field making statements such as:

*"My thesis **contributes** to...by..." (Yoshida, 2015);*

*"This thesis focuses on those areas in which it can make an **original contribution**: ... (Willcox, 2015);*

*"In this research, I make a number of **contributions** to existing literature and knowledge...I also **contribute** to existing scholarship in the way that I study international law." (Saab 2015);*

*"...It [this thesis] therefore makes a substantial and **original contribution** to the literature." (Pearson, 2014);*

*"More fundamentally, this thesis **contributes** to the literature by advocating..." (King, 2015)*

*Therefore, this study... will **contribute** to a more systematic and updated understanding of ... (Zhang, 2015)*

This demonstrates the increased importance of the introduction of a thesis containing an explicit statement about how the thesis contributes to knowledge and differs from Bunton's findings that theses may lack explicitness about the role and innovative character of the research (Bunton, 1998). Swales (referring to Bunton's work) comments that this may be because "*not all doctoral*

students believe in their hearts that their dissertations are really making a substantial and original contribution to the field" (Swales, 2004, p. 117)

The overall conclusion from analysing the steps in M3 is that there has been clear change in terms of the quantity and quality of steps. All steps occur more frequently in the modern corpus than the historical corpus, and often this change is substantial. Moreover, the way in which steps occur is different with a trend towards greater specificity and explicitness.

4.6.4.4 Move variable steps

This section turns to 'move variable steps' of which there are three. Personal comment remains rare, with only a slight increase (from 10% of writers to 20%). As noted earlier, I included this step because of its relevance for academic style (Chapter 6) rather than its frequency. In contrast, the other two steps have become almost universal. It has become increasingly important to define key terms (S16) (up from 50% of writers to 90%) and to review relevant literature (S18) (up from 40% of writers to 90%).

What is also noteworthy is that defining key terms (S16) and reviewing relevant literature (S18) are often lengthy moves. Bunton (2002) noted, steps can range from the length of clause to the length of several paragraphs. However, move analysis does not usually indicate how long a step is (I could not find any examples of researchers taking it into account). Notwithstanding this, I would argue there is a significant difference between a step which takes a few words to accomplish and a step which takes multiple pages. One solution would be to include 'sub-steps' within the longer steps. For instance, I categorised the extract below as the single step 'defining terms' but the step consists of 661 words and it would have been possible to include 'sub-steps'. I have illustrated what this might look like in the first paragraph of the extract. Other 'sub-steps' common to the step of 'defining terms' might include: 'giving introductory information', 'indicating problems/weaknesses with a definition'; 'highlighting differences in defining terms' or 'specifying the terms that are used in the thesis'.

In this dissertation, an understanding of which steps occur, and the frequency of those steps, is sufficient to indicate that S16 and S18 are becoming more important. However, including sub-steps within longer steps would be beneficial for students.

Figure 24: An illustration of a long 'step' (Agnew, 2015: 27-29)

Unconscionability

The word 'unconscionable' is frequently used in law and therefore it is appropriate to consider its non-legal meaning here. IMPORTANCE OF DEFINING THE TERM 'Unconscionable' suggests a negative moral judgement (CONNOTATION); it is best understood as describing behaviour, situations or outcomes that do not comply with the objective standard of morality (WRITER'S DEFINITION). This failure to comply may but need not be conscious or deliberate: the term 'unconscionable' also captures innocent or inadvertent breaches (EXTENSION OF WRITER'S DEFINITION). This becomes clear when we scrutinise the dictionary definition of 'unconscionable', which reads as follows: A adjective. 1 Showing no regard for conscience; not in accordance with what is right or reasonable. B Unreasonably excessive. C As an intensive: egregious, blatant. 28 2 Having no conscience; not controlled by conscience; unscrupulous.100 DICTIONARY DEFINITION

Part 1 of the definition of 'unconscionable' refers to a breach of the objective standard, pure and simple. The phrase 'showing no regard for conscience' is ambiguous: it can be read as indicating a failure to comply with one's personal understanding of what the objective standard requires or a failure to comply with the objective standard per se. However, the fact that this phrase is followed directly by the phrase 'not in accordance with what is right or reasonable' suggests that 'unconscionable' indicates the latter. It follows that 'showing no regard for conscience' means showing no regard for 'what is right and reasonable', i.e. for what the objective standard of morality requires. I may show no regard for conscience because I do not understand (morally) what it requires or I may know what it requires but I may consciously and deliberately ignore or override it. The definition includes both possibilities. Therefore, if I take my neighbour's car without permission, my behaviour is, without more, unconscionable, irrespective of whether I understood morally that I was acting wrongly when I took it.

Part 1b of the definition defines 'unconscionable' as 'unreasonably excessive'. Arguably, this definition is qualitative, although it contains a quantitative element. For example, if I am sharing a cake with friends and I take an unconscionably large slice as opposed to an extremely large slice, the implication is that I took more than I was (morally) entitled to. There is nothing to suggest that for my behaviour to be unconscionable, I must have deliberately or consciously taken more than I was entitled to, although of course this may be the case. Part 1c tells us that unconscionable may be used as an intensive to mean 'egregious', i.e. remarkably bad,¹⁰¹ or 'blatant', i.e. conspicuous or unashamed.¹⁰² It is therefore capable of describing conduct that is just plain bad, i.e. objectively bad, as well as conduct that is unashamedly, i.e. deliberately or consciously bad. 29 Part 2 of the definition of 'unconscionable' describes the circumstances where an individual breaches the objective standard either without any sense of the moral quality of her actions at all or deliberately, i.e. conscious that she is doing wrong. Here 'unconscionable' is defined as having no conscience or not controlled by conscience or unscrupulous, i.e. without scruples as to the

morality of a course of action.¹⁰³ If we say I have no conscience, this suggests I lack the faculty of moral understanding, which would enable me to discern what the objective standard requires of me in a particular situation. For example, I may not understand morally that the taking of a car without permission is theft and therefore wrong. I take the car without any sense of the moral quality of my actions and thus my behaviour is unconscionable. If we say I am not controlled by conscience or I am unscrupulous, this admits of the possibility that I may understand morally what the objective standard requires of me, but I have ignored or overridden it. For example, I understand that it is wrong to take my neighbour's car. However, I deliberately ignore or override this message from my conscience and take it anyway. Again, my behaviour is unconscionable but this time I understand morally that I am doing wrong.

4.5.4.5 A summary of the steps' analysis

Six conclusions can be drawn from the analysis of steps. Firstly, the overall number of steps has increased from 109 to 336 which suggests that introductions have grown in complexity and are being used to accomplish more functions.

Secondly, in both corpora, the percentage of steps associated with M3 is larger than the percentages of steps associated with M1 and M2 and this difference has become greater (M3 used to account for 46% of all steps; it now accounts for 60% of all steps). This indicates that writers are spending more of their introductions on the specific step of presenting their research (or occupying their niche) instead of the more general steps of establishing a research territory or occupying a niche. This may be because writers have already established their research territory and research focus (or niche) when putting forward their research proposals and having discussions with their supervisors. It may also be because writers are increasingly using their introductions to review relevant literature (up from 40% of writers to 90% of writers) and to review key terms (up from 50% of writers to 90% of writers). These steps often extend over multiple paragraphs and, although they are more variable, are often associated with M3.

Thirdly, while making topic generalisations is a universal step, making explicit claims about the importance of the topic is not. This may be because the importance of the topic is implied by the steps found in M2 such as identifying a debate, gap, problem or question. Where writers do make explicit claims about the importance of the topic, it is now more likely that those claims will refer to the topic's importance for the real world, not just for the field of law. I suspect this is because, in the 1920s, law was still relatively new as an academic discipline and thus pinpointing how international law works or comparing laws between countries was of particular interest. It may also be because LSE academics seem to have aligned themselves with natural law in the debate

with positivism wherein the former regards law as having a moral dimension and the latter sees law as being ‘what is’, not as ‘what should be’.

Fourthly, in M2 (establishing a research niche), the most popular step is to identify a debate (up from 60% of writers to 80% of writers). This is not a step which was identified by Bunton (2002), Soler Monreal et al (2011), Ono (2017) or Kwase (2018). Yet, it appears to be the archetypal step for law.

Fifthly, M3 has seen marked change. This move has always been important, but writers now dedicate more of their theses to executing steps within M3, and four of the 11 steps are now performed by at least 90% of writers (stating research aims, stating research approach, stating arguments/conclusions and stating thesis structure). Thus the trend in legal thesis introductions is towards spending more of the introduction on the specifics of the research approach (M3) than the generalities of the research topic (M1) or focus (M2).

Sixthly, while the move-variable steps are indeed move-variable, many are associated with M3 and all have seen an increase in use. This increase is marginal when it comes to personal comment, showing that writers generally maintain an objective and detached persona when writing. It is more pronounced when it comes to definitions (up from 50% to 90%) and literature reviews (up from 40% to 90%). Each of these latter two moves would benefit from being divided into sub-moves in terms of providing a pedagogical model of rhetorical structure and language.

5.6 Chapter conclusion

To conclude, this chapter has asked the questions of how the structure of theses has changed, how the themes of theses have changed, how the length and format of thesis introductions have changed and how the rhetorical structure of thesis introductions has changed. When doing analysis of this sort, the role of subjectivity “*should not be underemphasised or tucked away behind numbers*” (Hyland, 2004, p. 142). Throughout this analysis, many subjective choices have been made. For example, other researchers may have looked for different steps or moves in their analysis; they may have categorised those steps and moves differently; and they may have attributed different meanings to the steps and moves they had identified. Moreover, while typical for genre analysis, the sample sizes of my corpora, are too small to form overly definitive conclusions.

Bearing these caveats in mind, what do we learn from this chapter? Firstly, writers in the modern corpus are, unsurprisingly, researching new areas of international law compared to writers in the

historical corpus and there has been a shift from writing about “*what is*” to “*what should be*”. Pedagogically, this is interesting because the language associated with evaluative accounts is different from the language associated with factual accounts. To give just one example, evaluative language is more likely to be cautious or ‘hedged’ – something I uncover in Section 6.6. If law is following disciplines like philosophy, sociology and political science in taking an “affective turn” (Benamara et al, 2017) and if this suggest a new epistemological direction (Athanasiou, 2008), it is something that EAP teachers should be aware of, particularly when it comes to discussing writing style, which is the focus of the next chapter.

Secondly, my results show that it is problematic for EAP teachers to use the CARS model as if it were applicable to all written academic genres. Research articles and theses are not the same. Moreover, theses are disparate as a genre. A thesis written in the field of law is not likely to be the same as a thesis written in a different field. Thus, even when the CARS model has been adapted for thesis writing, as by Bunton (2002), and makes allowances for differences between the Arts, Social Sciences, Engineering, Science and Medicine (Bunton, 2002, p. 74), the validity of the model needs to be tested against the reality of the texts produced in a particular disciplinary and institutional context. In my case, legal theses did not fit a model of introduction writing in which moves occur sequentially and an Open-CARS model, like the one presented by Ono (2017), is a better reflection of reality, although it lacks the clarity of the linear model.

Thirdly, my findings also show that genres are dynamic. This is not a new conclusion. It was highlighted by Berkenkotter and Huckin in 1993 when they made the case for rethinking genre from a sociocognitive perspective but, in EAP classrooms, there is still a tendency to treat genres as static. Similarly, my findings show that, while there are rhetorical similarities between the introductions, there are also rhetorical individualities. Genre analysts tend to focus on models that are “prototypical” rather than “atypical” (Swales, 2004) but, this can lead to EAP teachers and students overlooking the importance of individual variation. Guinda, who speculates that moves are being eroded in some genres causing substantial diversification, proposes viewing genres more loosely, as “*flexible social artefacts*” that vary along a “*genericness cline*” (2015, p. 85). This mirrors Berkenkotter and Huckin who, again in 1993, suggested that:

rather than taking a holistic, normative approach to genre, as is done in traditional studies...it makes more sense to take a more articulated approach in which individual texts are seen to contain heterogeneous mixtures of elements, some of which are more recognisably generic than others” (Berkenkotter & Huckin, 1993, p. 492).

Berkenkotter and Huckin belong to what Hyon (1996) refers to as the New Rhetoric tradition of genre analysis (see Section 2.4). As such, they have been less influential in the field of EAP than those who belong to the ESP tradition of genre analysis. However, EAP practitioners would benefit from synthesizing the traditions.

To sum up, while rhetorical models are often appealing for students, it is vital that any models are recognised as a (much) simplified version of reality and do not become prescriptive or prevent teachers and students from examining real texts and taking a flexible approach. A danger which has long been warned of concerning generic models is that both EAP teachers and students may believe they are the only way in which academic writing can be presented (Dudley-Evans, 1997; Kay & Dudley-Evans, 1998), even though researchers like Swales are explicit about not trying to produce “*unassailable definitions of a particular genre*” (Swales, 1990, p. 52). Overall, I agree with Devitt (2015), who makes the case that attending to individual ‘performances’ as well as generic similarities can lead to a better understanding of genre and how it relates to concepts like identity and affect. She suggests that doing this “*might be as simple*” as adding the step of “*looking at the variations in the genre samples after discovering the commonalities*” (Devitt, 2015, p. 49).

Chapter 6: Have writing styles changed?

6.1 Introduction to the chapter

Having examined the rhetorical structure of thesis introductions in Chapter 5, this chapter focusses on the issue of 'writing style' with two broad questions in mind. Firstly, do theses in each corpus (historical and modern) employ similar writing styles? Secondly, is any change in writing style detectable? Despite the plentiful advice available on academic writing style, very little is based on empirical evidence or takes a discipline-specific perspective. As this dissertation only looks at ten theses in each corpus, any conclusions are not definitive, but they provide an insight into the extent to which the style used in legal theses matches common stylistic guidelines and thus the extent to which EAP teachers should use those guidelines in the classroom. The analysis also suggests how flexible conventions are, in other words, whether there is any evidence of the writers, many of whom are international, negotiating, modifying or reconfiguring style conventions in the way that Canagarajah (2004) suggests is desirable in Section 6.3. Finally, the analysis indicates what stylistic shifts (if any) have taken place and thus how stable style conventions seem to be in this field. Studies of diachronic language change are not common in the field of EAP, which may be why academic writing is often presented as universal and unchanging.

This chapter begins with a discussion of what an academic writing style is and why it is important (Section 6.2). It then makes some initial observations about stylistic changes immediately evident between the two corpora (Section 6.3). In Section 6.4, the chapter looks at 'readability', bearing in mind the critique that academic writing is often anything but. Section 6.5 looks at how writers interact with their readers through engagement strategies like reader mention, personal asides, shared knowledge, questions and directives. Then, Section 6.6 looks at how writers present themselves (stance) through the use of self-mention, hedges, boosters and attitude markers. The final section (Section 6.7) offers a conclusion. The stylistic features focused on in this chapter are far from comprehensive but are all ones which are commonly 'taught' in EAP classrooms and thus they are of pedagogic interest.

6.2 What is an academic writing style in the field of law?

For university students, learning to write in an appropriate academic writing style is of critical importance and, as a result, issues of style are central to most English for Academic Purposes (EAP) writing courses. However, 'style' is an area which can be both uncertain and controversial. Various questions arise. What is an academic writing style? Is it possible to talk about academic writing style, in the singular, or is it more appropriate to refer to academic writing styles? Is writing in an academic style the same as writing well? Is writing style ideological, in other words,

does promoting a version of academic writing as rational, objective and impersonal actually mean promoting a particular view of the world, a particular epistemology? And, to what extent, if any, should those writing in English be expected to conform to Anglo-Saxon academic norms?

In a literary context, style has been defined as “...*your signature way of communicating*” (Underwood, 2017, p. n.p.) or “*an author’s way of showing his or her personality on paper*” (Patterson, 2016, p. n.p.) but, in an academic context, I would argue style is less about being unique or creative and more about understanding the norms and expectations of an academic discipline. Within these norms and expectations, writers can make choices. These may involve choices about: how to represent themselves (for example, whether to say “*I argue...*”, “*This essay argues...*” or “*In this essay, it is argued...*”); vocabulary (for example, whether to say “*Smith states...*” or “*Smith claims...*”); tenses (for example, whether to say “*Smith argues...*” or “*Smith argued...*”); whether to introduce evaluative adjectives (for example “*Smith makes a convincing/unconvincing argument...*” ; whether to be cautious (for example “*This may suggest...*”); or whether to be assertive (for example “*This clearly demonstrates*”). The choices are not over the ‘correct’ use of language versus the ‘incorrect’ use of language. They are about nuance – something which can make them very challenging for non-native speakers. Moreover, the choices are restricted; writers cannot completely break away from academic or generic constraints without appearing “*noticeably odd*” (Bhatia, 2004, p. 25).

If, as argued above, ‘academic writing style’ is more about understanding academic rules and conventions than being unique or creative, this raises the question of what the ‘rules and conventions’ are. An immediate problem is that the advice given in style guides and EAP textbooks is contradictory and often based on belief or assumption rather than evidence. On the first EAP course I taught, for example, the in-house textbook contained a list of ‘dos’ and ‘don’ts’. This list contained dictates such as ‘*Do not use the first person*’ and ‘*Do use passive sentences*’. Although, I passed the advice onto my students, it did not take me long to realise that the list was deeply flawed. Many academic texts do use the first person (see Table 10). Moreover, when it comes to passive sentences, while the list I had advised to students to use them, it is common to find style guides which advise the exact opposite. The APA style guide, for example, states ‘*Use the active rather than the passive voice*’ (2013, p. 77). The legal referencing guide OSCOLA is less black and white stating ‘*Using the passive voice is often possible, although a mass of passive can undermine precision*’ (Oscola, 2002, p. 9). The reality is that there is limited consensus as to what an academic style is, something Sword (2012) found after surveying the advice given to early career academics in 100 recently published writing guides which contained conflicting recommendations on areas like pronoun use and structure.

Table 10: Evidence of variation in the frequency of first-person pronouns (Hyland, 2001:212)

Frequency of first person pronouns (cases per paper)							
Discipline	Total	I	Me	My	We	Us	Our
Physics	17.7	0.0	0.0	0.0	12.7	0.2	4.7
Biology	15.5	0.0	0.0	0.0	11.5	0.5	3.4
Electronic eng	11.6	0.0	0.0	0.0	8.4	0.1	3.1
Mechanical eng	2.6	0.0	0.0	0.0	2.1	0.0	0.5
Average hard fields	11.9	0.0	0.0	0.0	8.7	0.9	2.9
Marketing	38.2	1.1	0.0	0.5	22.2	0.8	13.5
Philosophy	34.5	26.1	1.6	5.3	0.9	0.2	0.4
App ling	32.3	12.7	1.1	3.4	8.9	1.0	5.1
Sociology	29.4	9.5	0.7	1.5	11.5	0.5	5.7
Average soft fields	33.6	12.4	0.8	2.7	10.9	0.6	6.2
Overall	22.7	6.2	0.4	1.3	9.8	0.4	4.6

Where Sword (2012) found virtually unanimous agreement was on the need for clarity and concision. However, how this translates into concrete choices about syntax, lexis and tone is not necessarily evident as Lea and Street's seminal work on academic literacies reveals (1998). Lea and Street interviewed staff and students at two universities: one traditional and one new. They found that, while students understood the general need for clearly structured, argumentative writing, they struggled to apply this to a particular disciplinary context. Thus:

Students would frequently describe how they had completed a piece of work that they believed was well constructed and appropriate to the subject area, only to discover they had received a very low grade and fairly negative feedback. They often felt unsure and confused about what they had done wrong. What seemed an appropriate piece of writing in one field, or indeed for one individual tutor, was often found to be quite inappropriate for another. (1998, p. 164)

To exacerbate the problem, academics struggled to describe what underlay a well-structured or well-argued piece of writing. They could talk about the importance of 'structure', 'clarity', 'analysis' and 'argument' but they could not explicate further²⁸. And, there can be a mismatch between what academics say and what students understand. For instance, students can interpret 'criticality' as the need to make negative comments instead of the need to select and use sources appropriately (Wingate, 2012). Thus, what seems self-evident to academics well-versed in their

²⁸ See also Nesi and Gardner (2012) and Kaufhold and McGrath (2019)

academic fields, can present a challenge for students who had not yet mastered the norms and conventions of their academic discipline.

When asked what the ideal writing style is for a doctoral thesis, PhD supervisors in the Department of Law responded as follows:

*SR1²⁹ Elegant with **clarity***

*SR2 Rigorous, **clear**, accessible.*

*SR3 Careful, meticulous, **precise**.*

*SR4 Sharp but flowing; technically accurate and analytically **precise**; engaging, not necessarily in terms of style (like a good journalist) but in terms of being able to sustain an argument. Tricky question, as writing style is bound up with dissertation topic, narrative structure, and author's personality. Personality has to shine through but must not dominate.*

*SR5 **Clear** – with as much Anglo-Saxon as possible within the significant constraints imposed on that by legal language!*

*SR6 Written in **clear**, short sentences, so that the style doesn't get in the way of the point; driven by questions rather than answers; charitable to existing literature; patient.*

SR7 Authoritative; engaged; emotionally detached

*SR8 Precise, matter of fact, favouring **clarity** over artifice*

The responses illustrate the importance placed on clarity and precision. However, they also illustrate some divergence in terms of whether writing should be “*emotionally detached*” (SR7) or whether “*personality has to shine through*” (SR4). For students, understanding the style that their supervisor wants is one challenge, being able to write in that style is another.

In EAP, the importance of disciplinary variations in language is now widely accepted but there is still a tendency for EAP textbooks to present academic writing as if there were one ‘academic writing style’ rather multiple ‘academic writing styles’ and as if the appropriate academic writing style is always objective, rational and impersonal³⁰ rather than influenced by epistemology. However, as Lea and Street’s (1998) research suggests, this is misguided; a view endorsed by

²⁹ SR1 = Survey Response 1 etc.

³⁰ For a few examples, see: Academic Writing: A Handbook for International Students by Stephen Bailey (2018); English for Writing Research Papers (English for Academic Research) by Adrian Wall (2016) and Advance in Academic Writing by Steve Marshall (2017).

Hyland who states, “*scholarly discourse is not uniform and monolithic*” (2004, p. 11) and Tardy (2016) who discusses how different epistemological styles help to shape genres with disciplines that place a high value on being critical of dominant discourses and social structures being more likely to accept innovation and accept, or even encourage, language play and departures in the language style adopted.

As an example, the extract below is from an article on becoming a narrative enquirer in a multicultural landscape’. The style is very different from the one generally expected in academic discourse. This emerged out of the scientific paradigm that swept through England in the seventeenth century and is based on ideas like ‘determinacy’ (there is a certain truth that can be known); ‘impersonality’ (the more objective the better) and ‘un-reflexivity’ (the focus is on methods and outcomes rather than the research process itself). However, the style of the extract is perfectly appropriate for a field which embraces more subjective ideas of truth and knowledge.

Figure 25: Variation in academic writing styles

As you read this text, imagine a darkened stage. Very softly in the background koto (classical Japanese) music is playing. Faintly in the darkened corner of the stage the silhouette of a woman begins to form, taking shape from wisps of shadow. She emerges in profile, small with long dark hair. Her silhouette is curved as in a supplicant’s position – passive, quite, pliant. She appears to be Asian. Koto music continues to play. It is becoming stronger and beginning to change slightly. As the strumming of the koto slowly changes, the dim shadowed figure of the woman flows forward. Her silhouette begins to change form and become more distinct. She becomes taller, broad-shouldered. It is a fluid process, taking place in rhythm to the music. The stage begins to lighten...

*Extract from ‘Becoming a narrative enquirer in a multicultural landscape’ Curriculum Studies, 2002 34/5
(Phillion, 2002, p. 545)*

Thus far it has been posited that writing in an academic style is not about expressing individuality, but about making choices within the constricts of academic norms and conventions. Academic norms and conventions can be difficult for students to understand, and for academics to explain because there are conflicting views about what constitutes an appropriate writing style (Harwood & Hadley, 2004), and, where there is consensus, it is underpinned by epistemological beliefs and disciplinary norms which may not be transparent to outsiders. The implications for EAP are that it is important to recognise ‘academic writing styles’ in the plural, rather than the

singular. However, moving away from strict formality in academic writing can create a “*palpable sense of unease*” (Swales & Chang, 1999, p. 166) among some students who find learning the rules of formal academic English a sufficient challenge without it being further complicated by a mixed approach to style (Swales & Chang, 1999).

Another area which EAP teachers need to consider is how to balance ‘description’ (how academics write) with ‘prescription’ (how academics should write). The appeal of genre analysis and corpus analysis are that they describe the way in which language is actually used rather than the way in which language is believed to be used. However, academic writing has been criticised. Pinker describes much of it as “*...turgid, soggy, wooden, bloated, clumsy, obscure, unpleasant to read, and impossible to understand*” (Pinker, 2014, p. 1). In similar fashion, Sword reviewed academic writing in a wide range of journals and concluded that, “*...even when they reported on interesting and important research findings, the vast majority of the articles I analysed proved stylistically weary, stale and flat*” (Sword, 2009, p. 320). If this is the case, EAP teachers need to be cautious about encouraging students to write in the way their professors do. We also need to be cautious because, even when academics write well, they are expert members of their disciplinary discourse community and thus are able to exploit genre conventions in a way that may not be appropriate for a novice (Bhatia, 2004). An example is the quotation from Pinker earlier in this paragraph. As one of the world’s leading authorities on language, Pinker is able to castigate academic writing in a way that would probably not be deemed acceptable for a student.

It should of course be noted that what constitutes a good writing style is somewhat subjective. Tardy (2016) notes that the same features of a student’s text can be interpreted by one reader as the sign of a creative and confident writer but by another reader as deviant. What constitutes good writing is likely to be influenced by disciplinary expectations as Aull and Swales concluded when discussing reviews of Swales’ book *Genre Analysis* 25 years after it was published. Four of the reviewers, all applied linguists, praised the book for being “*readable*”, “*pleasurable*” and “*lucid*” but one reviewer, with a literary background, found the book to be “*all but unreadable*” and talked about having to “*hack through a jungle of obfuscation*” (2015, p. 7). Aull and Swales posit that “*the contrasts suggest discipline-specific ideas about...readability*” (2015, p.7) although they accept the sample is too small for firm conclusions.

A final issue is to what extent, if any, should those writing in English be expected to conform to Anglo-Saxon academic norms? Bennett (2009) complains of ‘epistemicide’. She portrays ‘English academic discourse’ as a predator which colonises other academic discourses with disastrous effect arguing:

...the way that a particular culture formulates its knowledge is intricately bound up with the very identity of its people, their way of making sense of the world and the value system that holds that worldview in place. Epistemicide, as the systematic destruction of rival forms of knowledge, is at its worst nothing less than symbolic genocide (Bennett K. , 2009, p. 154)

At a more individual level, Maringe and Jenkins (2015) examined the experiences international doctoral students had when engaging with academic writing at a UK university. They found that:

Students...expressed concern with having to be forced to adopt what they saw as an American writing style, which had no room for any other style from elsewhere. It was as if the students were expected to shed off their identities and begin developing a new one. Many of them considered this as a serious invasion and disregard of their academic personalities which had served them so well in their home countries and which the university had previously accepted when they enrolled in the institution but which they now have to cast away in order to accommodate and adopt a new academic identity. For some this felt like institutionalised deception and selfish organisational interest in furthering academic imperialism. (Maringe & Jenkins, 2015, p. 612)

The students I consulted did not express any concern about using English. One commented that “*although English is not my first language, it is my primary language*” (Interview 6) another said “*I like writing in English, especially when writing about law. Law requires precision, consistency, clearness and, in my opinion, English language is more suited for that*” (Interview 1) and a third said “*I feel comfortable writing in English, particularly at an academic level*” (Interview 4). One noted that he uses longer sentences in Italian and less common vocabulary (Interview 1) and another said she experiences the same problems in both English and her first language namely that “*the structure of my sentences is too convoluted, some words are difficult to understand in their context, I write too long when it could be said in simpler terms*” (Interview 3). None expressed the concerns highlighted by Maringe and Jenkins (2015). However, this does not mean that all students are as sanguine, or that diversity is not desirable.

Canagarajah, who has written extensively on multilingual writers and the struggle for voice in academic discourse notes that students who deviate from the writing conventions may be penalised but argues that “*There is always room to negotiate, modify and reconfigure – if not resist*

– *dominant discourses*” (Canagarajah, 2004, p. 268). He adds that writers cannot ignore established discourses but believes “...even among rhetorically conservative teachers, it is...‘fresh’ and ‘original’ writing, that is preferred, [so] there is a space for one’s voice in the dominant discourse” (Canagarajah, 2004, pp. 268-269). A good example is Ha, a Vietnamese academic, who fought against traditional English academic norms in an Australian university to write in her voice, which included concluding her PhD dissertation with a poem. She states:

I am not a victim of disciplinary discourses, but an active agent in choosing how to represent myself in writing...This does not suggest that I blindly and stubbornly reject existing norms and practices. Instead, I do acknowledge and incorporate them in both content and the form of my writing, but in my own voice(s). This very sense of having a voice and identity in writing has given me a sense of wholeness, richness, connectedness, and belonging. (Ha Le, 2009, p. 137).

Ha now supervises her own PhD students and goes on to say “...this is the very belief I want to pass on to my students...But I do not do it by imposing; rather, negotiation, mutual learning and community building” (Ha Le, 2009, p. 137). I this, I hope I emulate her.

To sum up, writing in an effective academic style is important for students but often challenging, especially for students who are not writing in their first language (Flowerdew & Wang, 2015). A longitudinal study of law students suggests it takes time for them to develop a single consistent professional identity (Maclean, 2010), and one of geology students in the decade after their PhDs found that they gradually developed a credible disciplinary voice though more personalisation and disciplinary indexes (Dressen-Hammouda, 2014). I end this section with Sword’s comment that, “...academic writing, like academic thought, should not be constrained by the boundaries of convention” (Sword, 2012, p. 11). EAP teachers have a role to play in raising students’ awareness about disciplinary style conventions, but the rules should not be presented as ‘ironclad’, not should they be presented as unchanging.

6.3 Initial observations about whether writing styles have changed in the corpora

Turning to the corpora, a quick survey suggests stylistic change has certainly taken place in some areas. Language from the historical corpus which now appears ‘old-fashioned’ includes oddities of expression, such as “*To the ancients...*” (Watson, 1927), differences in spelling, such as “*Musselman*” and “*Mohamet*” (Watson, 1927) instead of Muslims and Mohammed, and unusual sentence structures, such as “*The principle here enunciated...*” McCown (1938). Dated language also includes referring to countries as female as in:

If Turkey, mistress of the canal which unites the Black Sea with the Mediterranean...
(Bulmer, 1925)

*Among Eastern nations Japan has already acquired full sovereignty, her neighbour
Siam very largely so while China is struggling in face of grave obstacles for similar
recognition of her rights as a sovereign state.* (Watson, 1927)

And, in some cases, it includes language which would be seen as politically incorrect nowadays. For example, referring to Turkey as “*feeble and backward*” (Bulmer, 1925) or saying, “*It may be true generally that Easterns imbibe Western ideas slowly...*” (Watson, 1927). In general, however, the vocabulary and turn of phrase used by the writers in the historical corpus was not strikingly different from those used by the writers in the modern corpus. As can be noted from the examples above, most of the ‘old-fashioned’ language I cite emerges from just two of the ten writers. Moreover, while my original hypothesis was that the writing styles would be more uniform in the modern corpus than in the historical corpus because the discipline of law at LSE, and thus the disciplinary discourse community, has become more established, most of the writers in the historical corpus conformed to a similar style.

6.4 Has the readability of theses changed?

Earlier, it was noted that academic writing is often seen as being “*unpleasant to read and impossible to understand*” (Pinker, 2014, p. 1). In terms of readability, *Word* can generate two statistics. One is *Flesch Reading Ease*. This bases readability on the average number of syllables per word and the average number of words per sentence using a 100-point scale, where higher scores indicate greater readability and standard writing averages 60 to 70. The other statistic generated by *Word* is *Flesch-Kincaid Grade Level*. This also bases readability on the average number of syllables per word and the average number of words per sentence. However, the score is intended to equate to an American grade school level (although there is no upper limit). Standard writing is approximately seventh- to eighth-grade level. The results of applying these to the thesis introductions are shown in Table 11. For *Flesch Reading Ease*, on average, the texts in the historical corpus were rated as more readable than the texts in the modern corpus (a score of 31.2 compared to 19.9). In the modern corpus, one text received a shockingly low readability score of only 0.4. This was a result of the extremely high average sentence length (49.5 words). For *Flesch-Kincaid Grade Level*, the historical texts were once again graded as more readable, overall, than the modern texts with a score of 14.7 compared to 16.5. Thus, according to these

measures, it would appear that readability in the academic texts I examined decreased rather than increased, despite writers being urged to write clearly and concisely.

Table 11 also shows the percentage of passive sentences used by each writer. In Section 6.2, I mentioned the style guidelines I was given in my first job teaching English for Academic Purposes (EAP), which recommended the use of passive sentences on the basis that they are a common feature in academic writing. I also mentioned that many style guides recommend the use of active sentences wherever possible. Many of my students are aware of the preference for active sentences and the advice is reinforced if students use online writing apps like *Grammarly*, which highlight the use of passive sentences and recommend active ones instead. The results in Table 11 illustrate a striking reduction in the overall use of passive sentence (down from a percentage of 30.2 instances on average to 18.7 instances per average). This represents a clear diachronic change. However, notwithstanding their decreased use, passive sentences are still a feature of academic writing, which illustrates the danger of listing guidelines in terms of black and white ‘Dos’ and ‘Don’ts’ with no room for flexibility.

Table 11: Statistics on readability

Historical Corpus				Modern Corpus			
	Passive Sentence s %	Flesch Reading Ease	Flesch- Kincaid Grade Level		Passive Sentence s %	Flesch Reading Ease	Flesch- Kincaid Grade Level
1	20.0	42.8	14.7	1	17.0	34.1	15.7
2	21.0	51.0	12.9	2	13.0	24.7	17.1
3	25.0	35.3	15.2	3	22.0	16.9	20.2
4	26.0	20.6	19.4	4	24.0	24.8	17.8
5	50.0	28.2	20.9	5	26.0	33.3	14.4
6	55.0	33.6	15.5	6	20.0	0.4	23.8
7	31.0	33.7	15.2	7	13.0	16.4	19.2
8	47.0	28.9	17.9	8	21.0	25.0	18.0
9	27.0	38.0	15.0	9	31.0	23.2	18.4
10	21.0	40.5	16.6	10	19.0	18.9	16.9
Total	30.2	31.2	14.7	Total	18.7	19.9	16.5

As mentioned above, both *Flesch Reading Ease* and *Flesch-Kincaid Grade Level* use the number of words in a sentence to judge readability. There is a general perception that sentence length has decreased over time. Writing in 1894, Lewis claimed it is a ‘well-known fact’ that English

sentences have halved in length, while the prose Hemingway produced in the early twentieth century, once seen as being strikingly terse and minimalist, is no longer shocking in its brevity (Lewis, 1894). A common mantra in style guides is ‘KISS – Keep It Short and Simple’, with a frequent recommendation to keep average sentence length at 25 words or under (Moran, 2018). In my findings (see Table 12), sentence length did reduce over time but only minimally (down from 35.6 words per sentence on average to 34.2 words per sentence on average). In both corpora the average was well-above the recommended 25 words. Other trends were for an increase in paragraph length (up from 3.7 sentences on average to 5.8 sentences per average) and an increase in characters per word (up from 4.8 characters on average to 5.3 characters per average).³¹

Table 12: Statistics on sentences per paragraph, words per sentence and characters per word

Historical Corpus				Modern Corpus			
	Sentences per paragraph	Words per sentence	Characters per word		Sentences per paragraph	Words per sentence	Characters per word
1	4.5	31.9	4.7	1	8	31.5	5
2	4.7	30.2	4.5	2	7.3	31.9	5.1
3	7.1	31.7	4.9	3	5.3	38.8	5.2
4	1.6	38	5.1	4	6.7	32.7	5.2
5	1	55.8	4.5	5	5.4	25.1	5.2
6	5	33.8	5	6	6.3	49.5	5.5
7	2.5	28.1	4.9	7	4.5	35	5.5
8	4.6	36	4.9	8	6.3	33.8	5.2
9	3.3	28.5	4.9	9	3.3	35.6	5.1
10	2.9	41.7	4.5	10	4.6	27.7	5.6
Total	3.7	35.6	4.8	Total	5.8	34.2	5.3

6.5 Has engagement changed?

³¹ The readability statistics generated by Word do not include the average number of syllables per word (despite the fact that this is used to calculate readability) but an increase in characters per word suggests an increase in syllables per word and would explain why readability scores have fallen despite sentences decreasing in length.

Readability is about more than sentence and word length. It is also about how enjoyable it is to read a text. As such, Sword identifies an engaging opening paragraph as a feature of 'stylish writing'. She defines this as a paragraph which employs one or more of the following techniques: a quotation, question, anecdote, provocative statement, unusual turn of phrase or literary device such as alliteration, metaphor or word play (Sword, 2009, p. 118).

In the historical corpus, only two of the theses have what might be considered engaging openings. My favourite begins with the statement that "*The War [referring to World War One] has not been entirely without good results*"; the second, also attractive in the brevity of the opening sentence, states "*Certainty, it is submitted, is the first requisite of good law*". The other openings are less engaging. Three begin by categorising various aspects of law: "*There are, broadly speaking, three classes of cases in which...*"; "*It is generally agreed that the modern conception of a state connotes at least two main attributes...*"; "*The modern state shows two basic characteristics...*". Although no doubt useful, they are also fairly forgettable. Two begin by stating the aim of the thesis "*The object of this Thesis is to discuss...*" "*The purpose of this work is to treat of the question of...*". No effort is made to interest the reader in the object or purpose of the thesis first. Two emphasise the importance of the thesis topic but use rather formulaic language to do so, "*The Eastern Question...is a perennial matter*" and "*In the whole field of international law there is probably no more important source of rules and general principles than...*". The final thesis uses a 96-word sentence to highlight some key questions raised by the thesis topic. In all, only 20% of the openings of the historical theses might be considered 'engaging' using Sword's (2014) criteria.

When it comes to the modern corpus, the news is somewhat better. Five of the theses fit Sword's description of having an engaging opening: three of the theses begin with a quotation and two begin with a striking statistic. The other five make less effort to engage the reader. Two begin by providing historical context in fairly generic ways: "*In the last few centuries, there has been growing preoccupation with...*" and, "*Historically, one of the most neglected aspects of ... has been ...*". And, three begin with an explicit statement of purpose: "*This thesis seeks to explain...*"; "*This thesis considers how...*" and "*This thesis seeks to construct...*". Thus, 50%, compared to 20%, of the writers try to attract the readers' attention meaning the overall trend is a positive one. This might be expected given that the doctoral students I consulted highlighted the need to "*catch*" (Interview 6), or "*grab*" (Interview 3) the readers' interest and "*make sure they are excited to read what follows*" (Interview 5), as mentioned in Chapter 5.

Compared to Sword, Hyland (2005) takes a somewhat different approach to 'engagement'. He defines it as "*an alignment dimension where writers acknowledge and connect to others,*

recognizing the presence of their readers, pulling them along with their argument, focusing their attention, acknowledging their uncertainties, including them as discourse participants, and guiding them to interpretations” (Hyland, 2005, p. 176), and suggests that linguistic markers of ‘engagement’ are reader pronouns/mention, personal asides, shared knowledge, questions and directives. This section will look at each of these features in turn.

6.5.1 Reader pronouns/mention

One way in which writers can acknowledge the presence of their readers is by using inclusive reader pronouns like ‘we’, ‘us’ and ‘our’ which imply a bond between the writer and the reader as these examples from the corpora illustrate:

We must remember that even Hale and Blackstone regarded contract only as a means of acquiring ownership and possession. (Finlay, 1938)

We should be careful though not to overly simplify or misinterpret this controversy. (Pearson, 2015)

Authors such as Naomi Klein have called for radical action against the impacts of climate change, which requires an overhaul of our current economic model based on neoliberal, free market capitalism. (Saab, 2015)

But in considering what jurisdiction our Courts possess, and have claimed to exercise in relation to matters arising out of the country, the principles which have found general acceptance amongst civilian nations as defining the limits of jurisdiction are of great weight. (McCown, 1938)

This brings us to the original and still paramount idea of residence being the test to apply in ascertaining whether or not a person is liable to account for the tax. (Smith, 1927)

This requires us to pay close attention to how the idea of conscience functions within and across doctrines. (Agnew, 2015)

According to Hyland (2005), using ‘we’ is the most frequent engagement device in academic writing. However, the APA style guide cautions against its use in this manner as seen in the extract below.

Figure 26: Extract from the APA Style Guide (2013, p. 69)

For clarity, restrict your use of “we” to refer only to yourself and your coauthors (use “I” if you are the sole author of the paper). Broader uses of “we” may leave your readers wondering to whom you are referring; instead, substitute an appropriate noun or clarify your usage:

Correct: “Researchers usually classify birdsong on the basis of frequency and temporal structure of the elements.

Incorrect: “We usually classify birdsong on the basis of frequency and temporal structure of the elements”

Some alternatives to “we” to consider are “people”, “humans”, “researchers”, “psychologists”, “nurses”, and so on. “We” is an appropriate and useful referent:

Correct: “As behaviourists, we tend to dispute...”

Incorrect: “We tend to dispute...”

Overall, I found the use of ‘we’, ‘us’ and ‘our’ to be widespread, used by 70% of the authors in each corpus. I also found that use had increased from 2.8 instances per 10,000 words in the historical corpus to 6.7 instances per 10,000 words in the modern corpus which may suggest increased efforts by writers to connect with their readers.

Table 13: Use of we, us and our in both corpora

Historical Corpus					Modern Corpus				
Thesis	We	Us	Our	Total	Thesis	We	Us	Our	Total
1	0.6	0.0	0.6	1.2	1	18.7	22.1	4.4	45.2
2	1.3	0.2	0.1	1.6	2	1.2	0.5	0.0	1.7
3	0.0	0.0	3.5	3.5	3	0.0	1.1	0.4	1.5
4	0.0	0.0	2.1	2.1	4	1.0	3.0	0.0	4.0
5	3.8	0.7	1.3	5.8	5	2.5	0.4	1.5	4.4
6	0.0	0.0	0.0	0.0	6	0.0	0.2	0.0	0.2
7	6.9	0.4	0.4	6.9	7	2.5	1.7	0.1	4.3
8	1.4	0.0	0.4	1.4	8	1.2	1.6	0.3	3.1
9	0.3	0.6	0.0	0.9	9	0.6	1.9	0.0	2.5
10	0.2	0.0	0.6	0.8	10	0.0	10.0	0.0	0.0
Average	1.5	0.2	1.2	2.8	Average	2.8	3.2	0.7	6.7

Another form of reader pronoun is the use of second person (you, your). This engages with the reader by explicitly acknowledging their presence, although Hyland (2005) suggests that 'you' and 'your' imply a lack of interaction between the writer and reader, whereas 'we' and 'us' create a bond. It is also seen as a marker of informality because it is about 25 times more common in spoken English than written English (Biber et. al, 1999, cited in Hyland 2017a). Writers can use 'you' in a specific way to speak directly to an individual reader. For example, *"There is evidently a moral difference between being told we don't make wedding cakes and we won't make a wedding cake for **you**, even if the practical result is the same"* (Pearson, 2015) or in a more general way encompassing readers in general as a way of engaging the audience. For example, *"In her lecture Crimes of War, Crimes of Peace, Catharine Mackinnon reminds us that behind all law is someone's story, someone whose blood, if **you** look closely, leaks through the lines"* (Yoshida, 2015).

Excluding the use of 'you' or 'your' in quotations, I found no examples of second person in the historical corpus. In the modern corpus, there were 1.65 uses per 10,000 words, used by 40% of writers (four out of ten). Thus, use has increased, another sign of increased informality or engagement. In Hyland and Jiang's research (2017), the results were mixed. Comparing 1965 with 2015, they found no use of second person in biology or electrical engineering, a doubling of use in applied linguistics and a halving of use in sociology. Overall, they concluded, *"norms of interpersonal engagement seem to be changing only slowly in the use of this feature, underlining something of a reluctance by writers to involve their readers more directly in their arguments"* (Hyland & Jiang, 2017a, p. 16).

As an alternative to 'you', a more formal form of reader mention is the use of 'one' as in, *"If current mitigation efforts appear unlikely to prevent a global temperature rise of more than 2°C, **one** might assume that wealthier states have chosen to funnel their resources into adaptation funding instead."* (Willcox, 2015). The use of 'one' is often seen as old-fashioned so I was somewhat surprised to find it was more common in the modern corpus than in the historical corpus and used by more writers (five rather than two). However, its use is still rare, rising from 0.04 uses per 10,000 words to 0.43 uses. Another rather old-fashioned option is to directly say "Reader", as in Jane Eyre's "Reader, I married him". Only one writer used the term 'reader' and, unsurprisingly, this was a writer in the historical corpus:

I have not attempted to write a text book and the reader may in some cases fail to find an exposition of some particular feature in which he is interested. I can only refer such readers to the standard text books on the income tax in each country.

Nonetheless, in the interests of accuracy and completeness, it has been necessary to deal with most of the important features of the two laws and I am hopeful that the book will leave the reader with a fairly complete understanding of the two income tax systems, whether he agrees with my conclusions or not. (Spaulding, 1926)

Notwithstanding this, overall, what my results show is an increase of reader mention as Table 14 illustrates. This suggests that writers in the modern corpus are engaging their readers more directly as discourse participants.

Table 14: instances of reader mention per 10,000 words

	Historical Corpus	Modern Corpus
You/your	0.0	1.65
One/reader	0.04	0.43
We/our/us	2.78	6.68
Total	2.82	8.76

6.5.2 Personal asides and shared knowledge

In addition to reader pronouns/mention, Hyland cites personal asides as a way of engaging readers (2005). Personal asides in the form of autobiographical information are rare, although there has been a slight increase in this area (up from one writer to two writers). However, personal asides can also involve the writer briefly interrupting a statement to offer a comment on what has been said. For example:

The Parliament of Great Britain, it is true, has not, according to the principles of public law, any authority to delegate for foreign vessels on the high seas. (McCown, 1938)

Two things quickly became apparent when – PhD proposal accepted – I began to research the topic further (Chadwick, 2015)

Overall, I found very few instances (1.7 per 10,000 words) of personal asides in the historical corpus and even fewer (0.2 per 10,000 words) in the modern corpus. Of the examples I found, some emerged through corpus analysis, but most had to be uncovered through discourse analysis. Like me, Hyland and Jiang also found a decrease in personal asides which offer a comment on

what has been said, speculating that “*pulling readers into the text through personal involvement no longer seems to be favoured as a way of establishing a professional connection*” (2016b, p. 37).

Overall, when it comes to personal asides, the picture is mixed; writers in the modern corpus seem slightly more likely to make personal asides through offering autobiographical information, but slightly less likely to make personal asides through adding personal comment on a statement. What can be concluded is that, on the evidence provided by my corpora, it is rare for writers to personalise academic discourse in this way. The norm remains for writers to be impersonal in line with the positivist epistemology that Bennett (2009) identifies as typifying ‘English academic discourse’.

Shared knowledge is another feature of ‘engagement’ identified by Hyland (2005). This involves the use of explicit markers where readers are asked to accept something as familiar or accepted through expressions such as ‘of course’ or ‘obviously’. I found a few such examples including:

The right of innocent passage is of course confined to vessels of states at peace with the littoral state. (Bulmer, 1925)

In addition, of course many private employers require employees not to discriminate against fellow employees or customers. (Pearson, 2015)

International law, as is well known, has a significant historical link to natural law theory. (Searl, 2015)

Thus the well-known maxim nemem tenetur ad impossibilis applies. (Lauterpacht, 1926).

...it would obviously be impossible to enforce the law against persons out of the jurisdiction of our Courts. (Smith, 1927)

In total, I came across 8.9 references to shared knowledge per 10,000 words in the historical corpus, falling to 6.7 references to shared knowledge per 10,000 words in the modern corpus. This represents a 23.8% fall. So, while writers in the modern corpus have increased ‘engagement’ through the use of reader pronouns/mention, they are less likely to highlight shared knowledge.

Various explanations are possible. One is that, in an increasingly globalised academic world, shared cultural knowledge cannot be assumed. Certainly Latin maxims like the one cited by Lauterpacht (*nemo tenetur ad impossibilia* ‘no one is bound to perform impossibility’) are not likely to be shared knowledge in the way they were when learning Latin was common. A linked explanation is that writers may no longer be as close to their supervisors. The relationship has been formalised. Meetings are more likely to take place in the office than the pub and supervisors are likely to be responsible for many more doctoral students, making it harder to form a close bond. Alternative explanations are that writers are often urged to be concise (Sword, 2012) and dropping remarks like ‘of course’ or ‘obviously’ is one way to achieve this. Moreover, writers may prefer cautious language. As an LSE blog on academic writing critical of hedging puts it, “*we learn to protect ourselves so as to make it on the global market of apolitical, impersonal, non-risky research*” (Deller, 2017, n.p.). This renders phrases like ‘of course’ and ‘obviously’ problematic.

Shared knowledge can be explicitly marked by lexical expressions as discussed above. However, what I found particularly interesting in the historical corpus was the knowledge that writers assumed readers shared. This knowledge was not marked by lexical expressions in the ways illustrated above and has not been included in the statistics. It emerged from rereading the introductions, rather than from corpus analysis. The assumptions of shared knowledge included assumptions that readers would know historical figures such as Xerxes, a Persian King:

It was from Sestos to Abydos, where the distance between the opposite banks is only about one-third of a mile, that Xerxes transported his way into Europe. (Bulmer, 1925).

I suspect that Xerxes is not a well-known figure nowadays and would not be referred to without further explanation by writers in the modern corpus. The assumptions of shared knowledge were also that readers would understand quotations in French, German and Latin, without requiring translation. Nowadays, writers might use foreign expressions such as *coup d'état*, *schadenfreude* or *ad hoc* (although probably not *Drang nach Osten* (drive to the East) which was mentioned by one of the writers in the historical corpus), but they would not expect quotations in any language other than English.

In all, writers in the modern corpus are less likely than writers in the historical corpus to make personal asides which comment on a statement or assume knowledge is shared (at least in a way which is explicitly marked by lexical expressions). They may be more likely to proffer autobiographical information but the increase (from one writer to two writers) is not significant

enough to conclude this. Thus, while modern writers seem to be more likely to use the engagement strategy of reader mention, they seem less likely to use the engagement strategies of personal asides and shared knowledge.

6.5.3 Direct questions and directives

Hyland describes the use of questions as “*the strategy of dialogic engagement par excellence*” (Hyland, 2002, p. 185) claiming that they are a way of arousing a reader’s interest and encouraging him or her to participate in exploring issues as an equal. However, as a quick search of the internet confirms, writers are frequently told to avoid using direct questions in academic writing on the basis that they are too informal. Sometimes the prohibition is, more specifically, against asking questions without providing an answer because this shifts the burden of answering the question onto the reader, could result in unanticipated answers, and may be used in place of careful argument (Bryson, 2014). In my analysis, I found that direct questions were used by 50% of the writers in the historical corpus and 60% of the writers in the modern corpus so they are clearly a feature of academic writing in both time-periods. Overall, the use of direct questions increased from 2.6 cases per 10,000 words to 6.5 cases per 10,000 words. This suggests they are being used more regularly but they are not used universally as 40% of the writers in the modern corpus still avoided their use entirely.

A final engagement strategy pinpointed by Hyland (2005) involves the use of directives defined as utterances which “instruct the reader to perform an action or to see things in a way determined by the writer” (Hyland, 2005, p. 184). Directives may take the form of an imperative verbs, necessity modals or expressions of ‘it is + adjective’. For example:

Imperative verb: *Take someone who for reasons dictated by his or her moral conscience refuses to conform to a rule or regulation... (Agnew, 2015)*

Necessity modal: *...before categorising law as part of the solution, we must consider what role law plays in framing the problem. (Saab, 2015)*

‘It is + adjective’: *...it is important to examine what adaptation law suggests about climate-ready seeds as a possible adaptation strategy. (Saab, 2015)*

As previously mentioned, it was essential to examine the use of language in context. What might initially appear a directive, may not be when the wider context is viewed. For example, in the sentences below, I would suggest that the addition of ‘*I argue that*’ and ‘*I believe that*’ change the

nature of ‘*we must consider*’ and ‘*it is important to*’ in a way which means they are no longer directives.

I argue that, before categorising law as part of the solution, we must consider what role law plays in framing the problem. (Saab, 2015)

Nevertheless, I believe that it is important to examine what adaptation law suggests about climate-ready seeds as a possible adaptation strategy. (Saab, 2015)

In total, I found 2.3 instances of directives per 10,000 words in the historical corpus (used by two out of ten writers) and 3.3 instances of directives per 10,000 words in the modern corpus (used by seven out of ten writers) so there has been an increase in how often directives are used and how many writers use them. However, the increase in use is slight.

6.5.4 Summary of engagement

Overall, I found that writers in the modern corpus were more likely to have an engaging opening than writers in the historical corpus and that there was a substantial increase in the use of engagement features (up 46.7%) which is in keeping with this. Doctoral students today receive far more advice about *how* to write than they used to. This includes thinking about the reader and about how to capture their readers’ interest and guide them through the discourse, which may explain the increased use of engagement features – a message which appears to have been heard. However, it is also important to note that, while I found an upward trend in the use of engagement features, the total number I found was substantially less in each corpus than in the corpora examined by Hyland and Jiang (2016b) for sociology (18.2 compared to 55.2 instances per 10,000 words in the historical corpus and 26.7 compared to 36.9 instances per 10,000 words in the modern corpus). For a PhD thesis, the readership is (probably) limited to just a few people who are being paid to read the thesis and assess it. As a result, ‘reader engagement’ is arguably less important than it is for writers who have to, firstly, persuade journal editors to publish their article and, secondly, persuade readers that their article is worth reading.

Table 15: Engagement

Frequency per 10,000 words	Historical Corpus	Modern Corpus 2014/15	Percentage change
Reader mention	2.82	8.76	+210.6
Questions	2.6	6.5	+150.0
Knowledge reference	8.8	6.7	-23.9
Directives	2.3	3.5	+52.2
Asides	1.7	1.2	-29.4
Total	18.2	26.7	46.7

Before moving to the next section, it is perhaps worth noting that ‘engagement’ is not necessarily about strategies to capture the reader’s attention or about use of language. In skilled hands, the strategies outlined by Sword (2009) for an engaging opening³² can be very effective, but in less skilled hands they can come across as formulaic and clunky. The comment from one of the PhD supervisors is insightful. He defined the ideal writing style for a doctoral thesis as ‘engaging’ although “*not necessarily in terms of style (like a good journalist) but in terms of being able to sustain an argument*” (SR4). In other words, being engaging is less about opening ‘hooks’ or the surface features of language, and more about persuasive content and disciplinary expertise – a challenge for non-specialist EAP teachers.

6.6 Has stance changed?

Having discussed readability and engagement as stylistic features, this chapter now turns to the topic of ‘stance’, in other words, “*the ways writers present themselves and convey their judgements, opinions, and commitments ... intrude to stamp their personal authority onto their arguments or step back and disguise their involvement*” (Hyland, 2005, p. 176). Charles argue that “*It is now generally accepted that written discourse makes a rhetorical appeal to the reader, seeking to persuade them to accept the writer’s viewpoint rather than simply stating neutral facts*” (Charles, 2006, p. 492). However, Swales queries this saying “*...as far as I can see, there is little compelling evidence that these kinds of projections [related to stance and engagement] actually coincide with most writer’s conscious thoughts and deliberative actions*” (Swales, 2019, p. 77). Whether conscious or not, all of the students I consulted stated that they patterned their writing style on authors they admired and, as noted earlier, most academic writers adopt a writing stance which

³² E.g. a quotation, question, anecdote, provocative statement, unusual turn of phrase or literary device such as alliteration, metaphor or word play (Sword, 2009, p. 118).

is formal and detached. Linguistic markers include how authors refer to themselves, hedges, boosters, attitude markers (Hyland, 2005) – all of which will be defined and discussed below.

6.6.1 Self-mention

Students frequently ask me whether it is acceptable to use personal pronouns (I, my, me, we, our, us) in academic writing. Based on a belief that academic writing should be impersonal and objective, many have been told they are not, and researchers have found that, compared to expert writers, students tend to use fewer personal pronouns (Charles, 2006). In reality, personal pronouns are widely used for self-reference. For example, Chang and Swales (1999), who examined ten papers from three academic disciplines (statistics, linguistics and philosophy), found that 77% of writers used personal pronouns in this way. However, there are disciplinary differences. In 2001, for instance, Hyland found that the use of personal pronouns was about three times more common in ‘soft’ academic fields like Marketing and Philosophy than ‘hard’ academic fields like Physics or Engineering.

In more recent research, Hyland and Jiang (2017a) found a 45% growth in the use of personal pronouns between 1965 and 2015. Their use increased in biology, electrical engineering and sociology but there was a small decrease in applied linguistics. At LSE, some academics in the Law department avoid personal pronouns but many are happy to use them, as evidenced in LSE Law Working Papers. Harwood sees personal pronouns as serving a self-promotional function. He argues that the effect of linking researchers to their findings is “*to persuade the reader that the writers, like the claim they are putting forward are worth taking notice of*” (Harwood, 2005, p. 1211), and that the use of personal pronouns can construct a tenor of conviction and authority, stress ownership of their work and underscore the uniqueness of the work (Harwood, 2005).

PhD supervisors in the Law Department at LSE are divided about whether students should use the first person when they write. Of those who responded to my survey, five were happy for the first person to be used; two were not and one replied, “*Only in some contexts, e.g., setting up the argument in an introduction or at a point where the student's argument turns on a certain normative commitment that not all reasonable people would accept*”. Avoiding first person pronouns ‘to be on the safe side’ is not necessarily an option either. When asked to comment on the main difficulties of students in terms of language, one commented “*Over-reliance on the 3rd person (e.g. 'it will be shown')*” (SR2), although in reality this example is of the passive voice; the third person would be “*This thesis will show*”.

When analysing the use of personal pronouns in thesis paper introductions, I focused on ‘I’, ‘Me’ and ‘My’ rather than ‘We’, ‘Us’ and ‘Our’ because each thesis had a single author, unlike journal articles which can be written by multiple authors. Overall, I found the percentage of authors using first person pronouns for authorial reference rose from 50% to 60%. What was most striking was that the overall number of uses rose from 19.9 per 10,000 words in the historical corpus to 36.5 per 10,000 words in the modern corpus, a rise of 83.4% (as Table 16 shows).

Table 16: Use of personal pronouns for self-reference per 10,000 words

Historical Corpus					Modern Corpus				
	I	Me	My	Total		I	Me	My	Total
1	0	0	0	0	1	81	16	48	145
2	87	17	17	121	2	172	12	35	219
3	0	0	0	0	3	0	0	0	0
4	0	0	0	0	4	16	1	2	19
5	0	0	0	0	5	59	2	35	96
6	30	0	0	30	6	0	0	0	0
7	13	9	22	44	7	0	0	0	0
8	1	0	0	1	8	24	0	5	29
9	0	0	0	0	9	0	0	0	0
10	3	0	0	3	10	0	0	2	2
Av.	13.4	2.6	3.9	19.9	Av.	27.1	1.5	7.9	36.5

One reason Hyland and Jiang put forward for the increased use of personal pronouns for self-reference found in their research is that, “*first person pronouns are a powerful means for establishing authority and personal projection*” (Hyland & Jiang, 2017a, p. 11), something which is ever more important, “*in the changing and highly competitive context in which research is now conducted and presented*” (Hyland & Jiang, 2017a, p. 11). They also speculate that the increased use may be linked to the growth of English as a global language and the increased number of writers “*whose first language is not English and in which first person does not carry the same connotations of personal projection and authority*” (Hyland & Jiang, 2017a, p. 11). I think this would require more investigation though.

Contrastive analysis of research articles written in five languages by Vassileva (1998) shows the use of personal pronouns to be far more common in English (526 instances) than German (227 instances), French (153 instances), Russian (203 instances) or Bulgarian (300 instances), which does not support the idea that non-native speakers would be more likely to use personal pronouns in academic writing than native speakers. In addition, Wu and Zhu (2014), who

contrast authorial presence in Chinese and English research articles, show that Chinese writers use personal pronouns very differently from English writers, eschewing the individualistic first person singular (I, my, we) for the collective first person plural (we, our, us) as illustrated in the table below. They conclude that English writers “*seek to present the individual self in the text and cast readers into an active role...Chinese writers are not so outstanding in the text. It seems that they would make themselves absent from the text so as to let the fact speak for itself*” (2014, p. 148). To me, this implies that, while Chinese writers would use personal pronouns differently to English writers, they would probably not feel “*first person does not carry the same connotations of personal projection and authority*” (Hyland and Jiang, 2017a, p.11) and thus use them more.

Table 17: Use of pronouns for self-mention (Wu and Zhu, 2014, p. 142)

	1st person singular				1st person plural				3rd person		
English	<i>I</i>	<i>my</i>	<i>me</i>	total (%)	<i>we</i>	<i>our</i>	<i>us</i>	total (%)	<i>the researcher</i>		
	315	69	12	396(63.5)	161	25	6	192 (31)	sub.	obj.	total (%)
Chinese	<i>wo</i>	<i>wode</i>	<i>wo</i>	total (%)	<i>women</i>	<i>womende</i>	<i>women</i>	total(%)	<i>yanjiuzhe/bizhe</i>		
	(I)	(my)	(me)		(we)	(our)	(us)		sub.	obj.	total (%)
	0	0	0	0	523	44	5	572 (93.6)	39	0	39 (6.4)

Another explanation for the increased use of personal pronouns for self-mention could be changing epistemological views: a shift away from strongly positivist views in which truth is seen as knowable, and researchers are seen as detached, objective and impersonal, to views like social constructivism, post-modernism or critical paradigms in which truth is seen as socially-constructed, imbued with values, or not necessarily knowable, and researchers are not seen as faceless and entirely dispassionate (Guba & Lincoln, 1994).

Certainly, there have been epistemological shifts in the field of law. Broadly speaking, in the nineteenth century, natural law theory, which maintained that law should be based on morality and ethics, was replaced by legal positivism, which saw law as a science to be written about objectively and impersonally. Contemporary international legal theory is no longer dominated by a rigidly positivist approach. Instead, it embraces a diversity of perspectives, and has developed streams of thought such as feminist legal theory and critical legal studies. Furthermore, a number of normative theories have emerged. These “*posit the existence of moral criteria, such as fairness, that international law should satisfy, and identify moral objectives, such as the protection of basic human rights, that international law should promote*” (Searl, 2015, p. 29). Such developments represent an epistemological shift in which the use of first-person pronouns is likely to have become more acceptable.

Having said this, I found that the use of first-person pronouns within each corpus was highly variable. Of the writers who used them, a few did so liberally, others much more sparingly (a range of 0-121 uses per 10,000 words in the historical corpus and 0-219 uses per 10,000 words in the modern corpus). I also found that the reasons for using personal pronouns for self-representation varied. Most writers used them to explain their actions and arguments, in other words to use constructions such as '*I argue...*' instead of '*This thesis argues...*' or '*It is argued...*'. Only in two cases (one in the historical corpus and one in the modern corpus) did the authors use personal pronouns to interject personal information. In the historical corpus, Neumann inserts a paragraph to say³³:

In so as this book [thesis] continues my unpublished doctoral thesis of 1923, it develops what is conceived to be the purely ideological character of natural law on the basis of criticism of Kantian and Neo-Kantian legal philosophy. The following ten years which I mainly devoted to industrial law, did not leave me the time for a further examination of my thesis. However, my practice during these ten years as a lawyer and a law-teacher has in no way contributed to weaken my conviction of the purely ideological character of Natural Law, whatsoever be its structure. My practice has, on the contrary, only strengthened that conviction, which finds expression in the present work. (Neumann, 1936)

However, in the rest of his introduction, he only uses personal pronouns to explain actions and arguments. In the modern thesis, Chadwick (2015) frequently uses personal pronouns to add personal detail as a few of the extracts below illustrate:

- *Like many people living in wealthier parts of the world, I didn't experience the global food crisis first hand.*
- *As a consumer living in the UK, I typically eat...*
- *Much of the food I buy is...*

³³ Neumann gained a second doctorate at LSE after the National Socialist party assumed power in 1933. In the preface of his thesis, Neumann states, "*This book [thesis] could not have been written without the financial help of the Central British Fund for German Jewry, and the Israel Memorial Fund*"

- *In contrast to many of the world's poor, I have the luxury of...*
- *My awareness of these events came from...*
- *Images of grasping hands, rural poverty, and aid workers handing out bags of rice reminded me of some the first televised images I recall seeing as a child...*
- *The questions I had for my parents then...and the unsatisfying answers they gave me have bothered me since.*
- *They cropped up again, when I attend an event in London called...*
- *The previous week, I had met with one of my doctoral supervisors...*

As a final comment, two of the writers in the historical corpus occasionally referred to themselves in the third person, as in “*The author has endeavoured to explain a somewhat complicated problem in international law...*” (Bulmer, 1925) or “*These were the questions which the author set himself to answer...*” (Lauterpacht, 1926). This distancing strategy was not used by any of the writers in the modern corpus and, I would suggest, it sounds old-fashioned to the modern ear.

Overall, there has been a marked increase in the use of personal pronouns for self-reference (up by 84%) but it is not common for personal pronouns to be used to detail personal information. The increase in use might be attributed to changing epistemological views, but this would require more investigation to confirm. Moreover, the overall increase masks individual variation. There are writers who use the first person prolifically and others who shun it entirely. In theory, the question of whether to use the first person in academic writing should be a fairly simple one with a clear answer. In reality, it is much more complicated. And, as described earlier, academics give mixed messages. Charles states that, “*achievement of an appropriate academic identity, whether for expert or novice, is an extremely complex task....It requires a writer to find a balance between modesty and authority, between deference to the discipline and individuality*” (Charles, 2006, p. 159). The question of whether to use first person pronouns and, if so, how is one of the many linguistic areas in which this is true.

6.6.2 Hedges, boosters and attitude markers

In addition to self-mention, writers can use hedges, boosters and attitude markers to express stance. Hedging is the use of cautious or tentative language. For instance, instead of saying “*This*

proves..." a writer may choose to say, "*This suggests...*" or "*This indicates...*" Boosting is the opposite. For instance, instead of saying "*This suggests...*" a writer may choose to say, "*This clearly suggests...*" or even "*This clearly proves...*". Attitude markers indicate the writer's affective attitude and may include surprise, frustration or agreement, often realised through attitude verbs like *agree*, adverbs like *unfortunately* and adjectives like *logical* (Hyland, 2005; Adams & Quintana-Toledo, 2013). Hedges, boosters and attitude markers are important ways in which writers can demonstrate their stance and present themselves as a reliable and trustworthy source (Clark, 2019). However, they can be difficult for students, not least because research suggests that significant cultural differences exist.

For example, Martín (2008) compared research articles (RA) written in the field of psychology in both Spanish and English. He found English medium writers made greater use of hedging and thus involved "*more protection to the author's face*" (2008, p. 133). He speculates that Spanish medium writers may feel it less necessary to use hedging as a protective strategy because they work in a relatively small community where "*the risk of retaliation from a peer is considerably reduced*" (2008, p. 148). Similarly, Hu and Gao (2011) compared RAs written in the field of applied linguistics in Chinese and English. Like Martín (2008), they found that English medium writers made greater use of hedging. They also found Chinese medium writers used markedly more boosters. They suggest that is due to the differences in academic culture wherein, for Chinese academics, "*written discourse is viewed less as an arena for constructing knowledge and approaching truth than as a venue for announcing knowledge and asserting truth*" (Hu & Cao, 2011, p. 2805). They also believe that the declining influence of positivism and growing recognition of the complexity and elusiveness of social phenomena have led Anglo-American researchers to see more need to qualify knowledge claims but that "*a reverse epistemological trend*" has been on the rise in China with "*a turn to positivism as the ideal paradigm of research in the social sciences*" (Hu & Cao, 2011, p. 2806).

To support the idea that the decline of positivism has led to greater use of hedging in English medium academic discourse, Hu and Gao (2011) point to a diachronic study by Gillaerts and Van de Velde (2010) who studied abstracts published in the Journal of Pragmatics between 1977 and 2007. They found that the use of hedges rose steadily but that there was a notable drop in boosters and, especially, in attitude markers. They suggest this may be due to two factors. Firstly, a change in scholarly ethos such that "*credibility is currently established by a deliberate, cautious expression of scientific claims, rather than by the authoritative stance of an omniscient academic*" (Gillaerts and Van de Velde, 2010, p.136-137). Secondly, a growth in the disciplinary discourse community which means acknowledging the stances of other authors becomes more important

and may constrain the use of boosters and attitude markers. This latter explanation chimes with Martín's (2008) belief that Spanish medium writers use fewer hedges because they are operating in a smaller disciplinary discourse community where they have less need to protect themselves.

Table 18: Hedges, Boosters and Attitude Markers per 10,000 words

	<i>Historical Corpus</i>	<i>Modern Corpus</i>	<i>Percentage Change</i>
Hedges	153	175	+14.4
Boosters	87	66	-24.1
Attitude Markers	37	27	-27.0

My findings are similar to those of Gillaerts and Van de Velde (2010) and are summarised in Table 18 (above). I found a 14.4% increase in the use of hedges, a 24.1% decrease in the use of boosters and a 27.0% decrease in the use of attitude markers. Overall, the picture is one in which writing has become more cautious and less assertive and in which writers are less likely to express affective attitudes.

6.6.3 Summary of stance

So, what does this mean? Hyland and Jiang (2016a, p.259) suggest that *"The soft knowledge fields, particularly in the past 30 years in the case of applied linguistics, have been slowly moving toward more "author-evacuated" prose, increasingly mimicking hard science practices"*³⁴. I found that writers in the modern corpus were less likely to use attitude markers than writers in the historical corpus, a trend in line with an *"author evacuated"* style. However, I also found that writers in the modern corpus were more likely to use personal pronouns for self-mention than writers in the historical corpus. Thus, overall, to suggest that the field of law has become more *"author-evacuated"* would be inaccurate. Having said this, in each of my corpora, the writers are largely faceless and, while they do make use of first-person pronouns, they often do so without revealing any traces of personality.

When it comes to hedging and boosting, there has been an increase in the former and a decrease in the latter. As previously mentioned, a case can be made that, as an academic discipline, law is no longer dominated by positivism in the way it was in the early twentieth century; instead social-

³⁴ Note: while Hyland and Jiang found that the use of personal pronouns for self-mention had decreased in the field of applied linguistics (2016a), they found they had increased in the field of sociology. The same finding is true for their later research on changes in formality (Hyland & Jiang, 2017a)

constructivism, post-modernism, critical paradigms and normative approaches are common (Searl, 2015). This may have had an impact on writing styles due to the recognition that values may play a role in research and that truth may not be objectively 'knowable'. In other words, writers may be more likely to hedge their claims and less likely to boost them.

Overall, what rings true for the texts I examined, is Hyland and Jiang's comment that, "*the stance an author takes...is always an act of personal choice where the influences of personality, confidence, experience and ideological preferences are clearly important*" (2016a, p.27). I say this because, while there are similarities among the texts in each corpus (and signs of diachronic change between the corpora), individual differences between writers are also apparent.

6.7 Chapter conclusion

To conclude, being able to write effectively is a vital academic skill but effective writing is about more than content and language accuracy. It is about the stylistic choices that writers make when they decide on how to interact with the reader (readability and engagement) and how to portray themselves and their views (stance). For all writers this is a challenge and, for early career academics, and those who speak English as a foreign language, this is particularly true as both PhD supervisors and doctoral students acknowledge. For instance, one supervisor commented "*For non-native graduate students, I often note difficulties in striking the right tone (e.g., either too formal 'henceforth, one must heed ... ' or, more frequently, too informal 'the law says it's ok ... ')*" (S8)

This chapter has that found stylistic changes have taken place when it comes to certain expressions, spellings and sentence structures and that, in some cases, the historical corpus exhibited language which would be seen as politically incorrect nowadays. On the whole though, the language used by the writers in the historical corpus is not strikingly different from that used by the writers in the modern corpus. Readability, as judged by *Flesch Reading Ease* and *Flesch-Kincaid Grade Level*, has reduced. This is likely to be because, while, sentence length has decreased slightly (shorter sentences are linked to greater readability), paragraph length and word length have increased slightly.

Being readable is not just about comprehension, it is also about being able to capture, and maintain, a reader's interest. In this area, there seems to be a positive trend as writers in the modern corpus are more likely to have an engaging opening and to use linguistic engagement markers than writers in the historical corpus. When it comes to stance, there is a trend towards the use of fewer attitude markers, fewer boosters, more hedging and more personal pronouns for self-reference. Most writers in the corpora adopt a formal, faceless stance (even when using

personal pronouns for self-reference). Only in a few cases does “*personality shine through*” (SR3), as one of the PhD supervisors would like.

At the beginning of this chapter, I raised questions about what an academic writing style is; whether it is possible to talk about academic writing style in the singular; whether writing academically is the same as writing well; whether writing style is ideological; and whether writing in English means having to conform to Anglo-Saxon academic norms. What my findings underscore is that writing styles are neither uniform nor unchanging. As with rhetorical structure in Chapter 5, it is probably best to see academic writing style along a ‘*genericness cline*’ and to examine variations in style as well as commonalities. When it comes to ‘writing well’, the trend appears to be positive, but this masks individual variation. In each corpus, there are writers who stand out for having a clear and engaging voice, but there are also writers whose prose is dull, or whose writing suffers from convoluted ideas and, what one PhD supervisor refers to as “*clunky expression*” (SR6).

In terms of ideology, English academic discourses has been heavily influenced by the rationalist/scientific paradigm (Bennett, 2007), and this is perhaps reflected in the comment from one PhD supervisor that the ideal writing style is one which is “*Authoritative; engaged; emotionally detached*” (SR7). However, Rubin argues that, for legal scholars, the aim is “*not to be objective, but to be significant and persuasive*” (Rubin, 1997, p. 545). This is recognised by the doctoral students who see the task of their thesis introduction as being “*to persuade [the reader] that your thesis explores and important question*” (Interview 3) and “*to make sure the reader is excited to read what follows and understand the stakes and importance of the work (without going overboard on that importance)*” (Interview 5). And, one of the students I spoke to felt that in the Law Department “*there’s possibly more leeway to think about the place of rhetoric and style than perhaps in the more straightforwardly social science disciplines*” (Interview 5).

In terms of language, the increased use of hedging devices, and decreased use of boosters and attitude markers, is one way in which students present claims in a manner that will enhance their credibility and make the reader feel, to quote one student, that they “*are in safe competent hands*” (SR6). None of the students I spoke to expressed concern about their academic personalities being repressed by writing in English as some international students do (Maringe and Jenkins, 2015). If anything, they were positive about writing in English. However, I would still argue it is important for students to be encouraged to question stylistic norms. As Sword puts it, “*The signature research styles of our disciplines influence and define us, but they need not crush and confine us*” (Sword, 2012, p.22).

As a final point, the role of an EAP teacher is to help students use English to become more effective writers but the extent to which readability, engagement and stance can be taught is debatable. Students can be told to keep their sentences short, avoid the passive voice, open their writing in an enticing manner, and use devices such as reader mention, questions, knowledge. They can be given guidelines about self-mention, hedging, boosting and attitude markers. However, a 'paint-by-numbers' approach is unlikely to be successful. As Lea and Street argue, "*in practice, what makes a piece of student writing 'appropriate' has more to do with issues of epistemology than with the surface features of form*" (1998, p.163). This is one reason why the generic advice provided by style guides, handbooks, and often EAP writing courses can be of limited help to writers, and why stylistic strategies which work well in one discipline may not work well in another.

Chapter 7: Has the use of literature changed?

7.1 Introduction to the chapter

For the students I interviewed a major challenge is “*finding my own voice and distinguishing myself from other writers, from the existing literature*” (Interview 5). This chapter examines the ways in which writers use literature to demonstrate knowledge, support arguments and persuade their readers that the writer is a credible source. More specifically, it looks at how writers engage with the literature in the introductions of the PhD theses in the corpora and at changes which have occurred since the 1920s. It will focus on four main areas: bibliographies (Section 7.3), footnotes (Section 7.4), citation practices (Section 7.5) and use of quotation (Section 7.6). It will begin with some background (Section 7.2).

7.2 Why the use of literature is important

Citing other sources is a key feature of academic writing. As Connors, who traces citation back 2,400 years, puts it: “*Speakers and writers have always known that their ‘own’ words are constantly co-evolving from and with the words of others, and from the earliest written records we see authors’ attempts to quote and credit the works of those they used or admired*” (Connors, 1998, p. 6). All doctoral students are expected to read widely and to cite multiple sources in their theses. Citation is a “*test of scholarship*” or “*a hurdle*” which must be passed to gain credibility and approval in academic circles (Dunleavy, 2003, p. 103). Nonetheless, acknowledging previous research while retaining a distinct authorial voice is challenging, especially for students who, as early career academics, may not yet be confident about their voice and, instead of citing peers, are usually citing academics of high academic standing, which can affect their willingness to be critical (Petrić, 2007). As a student reflecting on the experience of completing a law thesis states:

There is a tension inherent in writing a PhD. On the one hand, it is an examination of your ability to undertake research independently and write as an academic. On the other, you have to show you have read all the literature in your field and can cite the most authoritative scholars. The temptation was to spend a lot of words proving that I knew my stuff, that I could rehearse the arguments of those authoritative scholars. But in fact I was writing from fear: a fear of needing to back up every claim and argument with the voice of a well-known scholar – or preferably several. If someone had said it before, then it was safe to say it myself. (Steer, 2014, p. n.p.)

She goes on to discuss the need for “*stepping out beyond the safety of footnotes and the words of big-name scholars to reach a level of academic independence*” (ibid).

In the case of non-native speakers of English (NNSE), a combination of linguistic and cultural factors can exacerbate matters further. For example, it is generally more desirable to paraphrase or summarise an author's words than rely on quotation, as this is more concise, shows the writer has understood what he/she has read and avoids texts turning into a patchwork of 'cut and paste' quotations in which the writer's voice is almost entirely submerged³⁵. However, linguistically, it is difficult to reword texts in a way which is succinct, retains the original meaning and avoids plagiarism. Moreover, my students often express frustration about not being able to express ideas and concepts as well as the original authors.

To compound this, it is often claimed that different cultures have different academic traditions when it comes to citation (Borg, 2000). For instance, in a blog post hosted by Turnitin (a software package used by many UK universities to detect plagiarism), Nelson (2017) posits two cultural differences. Firstly, in collectivist societies like Japan, India, and other East Asian countries, ideas are seen as shared by the community instead of owned by individuals. Not only does this lessen the need to acknowledge sources, it can also make writers less confident about expressing an individual voice. Secondly, in countries like China, memorization is seen as a form of respect and rhetorical expectations about argumentation and criticality may not be the norm. As McCulloch discusses:

...the need to take an evaluative stance towards source material and to recontextualise such material to fit one's own purpose is closely linked to issues of epistemological stance and authorial identity...Novice writers, particularly international students who lack experience of this dialogic and argumentative tradition of writing, may not always be aware of the symbiotic relationship between the referencing of sources and epistemology" (McCulloch, 2012, p. 56).

In other words, novice writers may not be aware of how to use literature in order to argue persuasively in their discipline. A key step for all writers is to move from 'knowledge-telling' to 'knowledge transforming', which is often a challenge (Flowerdew & Wang, 2015).

As alluded to above, citation is often depicted as a form of social interaction between writers and readers whereby writers situate their research in a larger narrative, demonstrate membership of a particular disciplinary discourse community, identify gaps in previous research and "establish

³⁵ Although, as will be discussed later, the effectiveness of quotations depends on how they are integrated into a text.

a credible writer ethos" (Hyland, 2004). However, much of the research into the use of citation has focused on published research articles, and doctoral students writing a thesis have a different audience and different goals. Petrić (2007) suggests this is likely to affect citation use in various ways. For example, showing allegiance to a school of thought may be less necessary for a student than an academic since the student's writing is usually read by one reader. For students, the use of citation for knowledge display and to demonstrate the ability to apply a theory is probably more important. Samraj (2013) compared the use of citations in research articles and master's theses finding that the former were more likely to interpret and evaluate previous findings, not just compare previous findings to their own. This requires "*a deeper understanding of the field and more disciplinary authority from the author*" (Samraj, 2013, p. 308).

7.3 Have bibliographies changed?

The most obvious record of what students have read can be found in their bibliographies and so this is where I began my analysis. However, only six of the ten historical theses contained bibliographies, showing that in the inter-war period they were not an obligatory feature³⁶. When examining the bibliographies, I noted that changes had taken place in: the positioning and presentation of bibliographies (Section 7.3.1); the quantity of references (Section 7.3.2); and the type of references (Section 7.3.3). The details and implications are discussed below.

7.3.1 Changes in the positioning and presentation of bibliographies

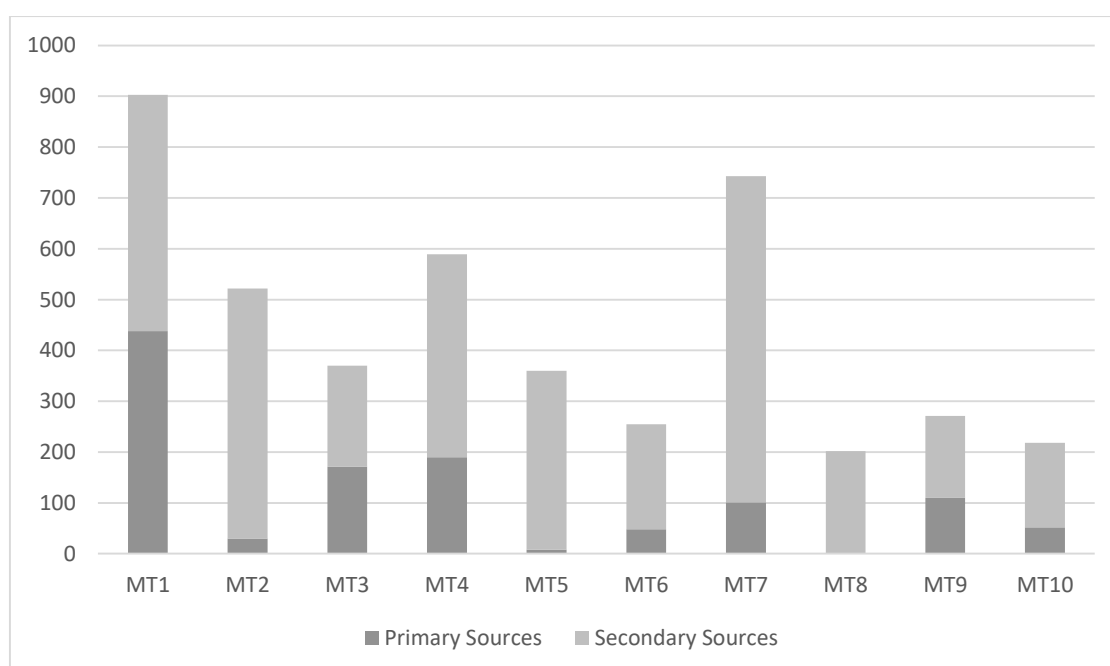
In terms of position and layout, in all but one of the historical theses, the bibliography was situated at the beginning (although as mentioned earlier, four theses did not contain a bibliography). In the modern theses, all the bibliographies were located at the end (each thesis had a bibliography). To some extent, the shift of bibliographies from the beginning of theses to the end of theses, could be seen as diminishing their importance. When they were located at the beginning, they formed part of the information a reader had to look at, or at least flip through, before reading the main text. Now, they are located at the end of the theses, they are less prominent. However, Brabazon, a PhD supervisor who writes for the Times Education Supplement says, "*Doctoral students need to be told that most examiners start marking from the*

³⁶ Note: Bibliographies did not become a feature of academic books until after 1900 (Connors, 1998), when they were introduced to make it easier for readers to find reference data and understand chronological relations. Previously, writers of academic books had just used footnotes but, as Connor (1998, p. 223) comments, footnotes only present publication date at first citation so, in a long work, they can "*obscure chronological relationships, making assessments about authorial relations and cumulating knowledge more difficult*".

back of the script. Just as cooks are judged by their ingredients and implements, we judge doctoral students by the calibre of their sources" (Brabazon, 2010, p. n.p.). In other words, bibliographies are far from unimportant. Bearing this in mind, the most likely reason for the change of positioning is that bibliographies have grown dramatically in length. Where, in the historical corpus, they tended to be no more than three pages long, in the modern corpus, they are up to fifty pages long.

In the modern corpus, the majority of bibliographies (nine out of ten) were divided up according to the type of source. For example, Zhang (2015) has two separate sections (for 'regulations' and 'books and articles'); Chadwick (2015) has five separate sections (for 'books', 'cases', 'journal articles', 'news articles and blogs' and 'reports, research papers and policy briefs'); and Agnew (2015) has three separate sections (for 'cases' [subdivided into cases from the United Kingdom, Canada, Hong Kong, New Zealand, Singapore and the USA] 'legislation' and 'literature'). As these examples show, the choice of categories is not consistent, nor is the order. What the choice and order of categories often reveal is the relative importance of primary and secondary sources in the theses. Some writers make extensive use of primary sources (such as legal cases and statutes), others focus almost entirely on secondary sources (such as journal articles and books). Table 19 below illustrates this: in MT1 (Modern Thesis 1), the writer draws on 438 primary sources (almost 50% of the total); in MT8 by contrast the focus is entirely on secondary sources.

Table 19: The use of primary and secondary sources by writers in the modern corpus



In the historical theses, only one bibliography contained categories, dividing ‘treatises and monographs’ from ‘periodicals’. This is a sign of the growing length and complexity of bibliographies and, linked to this, the changing reading patterns of doctoral students.

7.3.2 Changes in the quantity of references

Unsurprisingly, the average number of references in the bibliographies has increased sharply from 77 per thesis to 443 per thesis. What I had not anticipated though was quite how varied the quantity of references would be within each corpus: in the historical corpus the range was from 33 to 166 and in the modern corpus the range was from 202 to 903. This highlights that, while supervisors are often asked how many references are optimal, there is no definitive answer. What it also shows is that the discipline of law requires students to read extensively. For instance, Uçak and Al (2009) analysed 115 PhD theses across a range of disciplines and found that the average number of references per thesis was 121, albeit 230 in the social sciences. With an average of 443 references per thesis in the modern corpus, legal doctoral theses contain substantially more references. In a quick comparison of my own, I looked at the number of references in doctoral theses from five departments at LSE: law, geography, management, sociology and history. To do this, I sampled the bibliographies of five theses published in 2018 which were selected at random from each discipline (see Table 20)³⁷.

Table 20: The number of references in PhD bibliographies across departments at LSE in 2018

Number of references	Law	Geography	Management	Sociology	History
Average	476	73	381	271	449
Maximum	662	195	540	402	569
Minimum	312	8	159	138	289

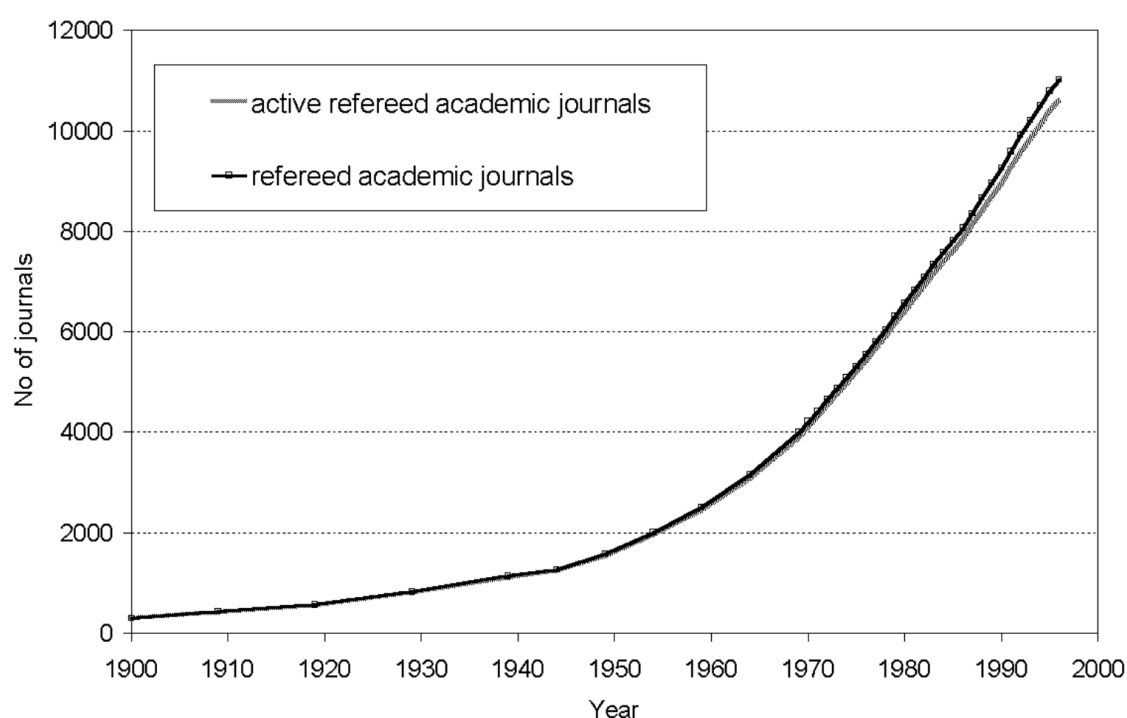
Although crude, my findings reinforce the notion that doctoral students of law have to read more extensively than those in other disciplines. For any student this is a challenge, but for NNSE, it represents a considerable burden.

³⁷ I selected five disciplines and five theses from each discipline because I thought it was a sufficient spread to be representative but was still manageable.

7.3.3 Changes in the type of references

Linked to the above, when it comes to sources the academic world today is clearly very different from in the 1920s. The LSE Library, containing 2,145 books, was founded in 1896 with the intention of it becoming a collection which would “*provide, for the serious student of administrative and constitutional problems, what has hitherto been lacking in this country, namely a collection of the materials for economic and political research*” (Camfield, 2016:5 quoting Beatrice Webb’s diaries). Since then, despite frequent budgetary constraints, the picture has been one of continual growth. By the 1920s, the Library comprised some 520,000 items (Camfield, 2016) and, in 1979, the library needed to move into a new building to accommodate its expanded resources. One of the most notable changes since the 1920s has been the tremendous growth in academic journals, first in print and now electronically. Figure 28 depicts the general growth of refereed journals from 1900 to 2000 (Mabe & Amin, 2001, p. 155) while Stahn and De Brabandere (2014) point to statistics on ‘international law references’ in databases such as Westlaw suggesting an annual growth rate of 7.5 percent’ per year.

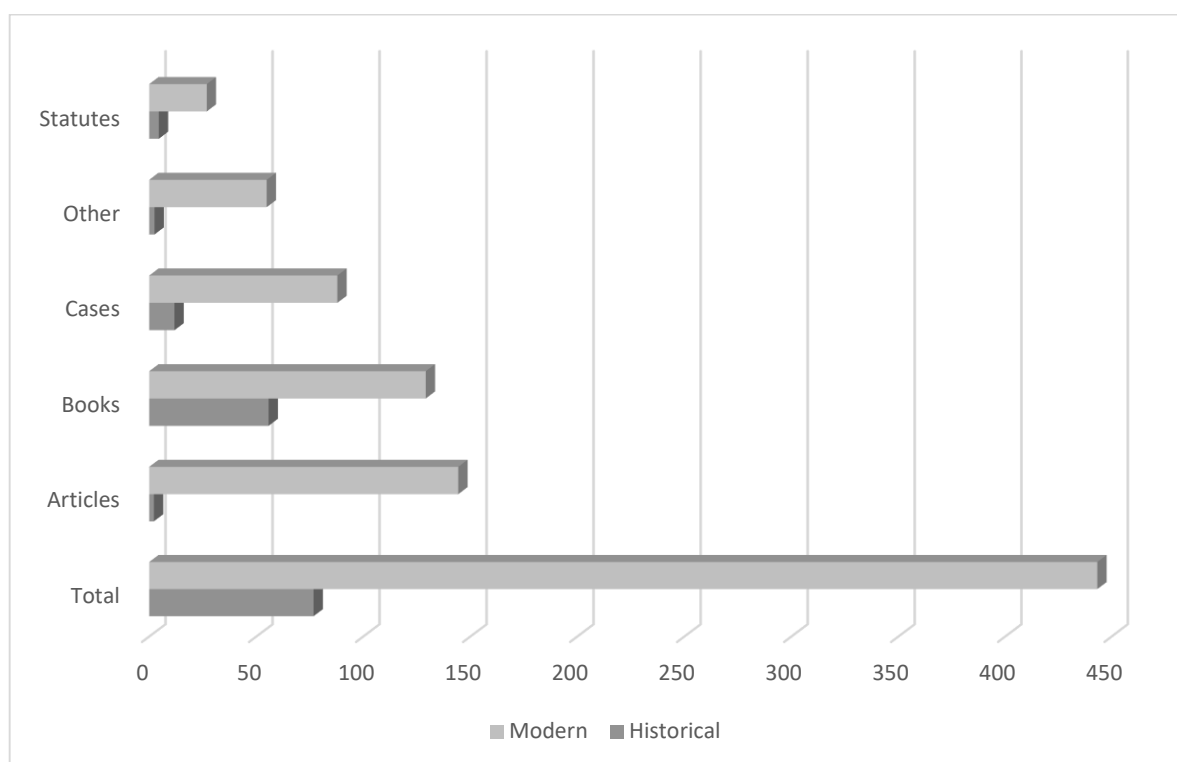
Figure 27: Growth in refereed academic journals(Mabe and Amin, 2001, p. 155)



The bibliographies in the corpora reflect the changes which have taken place in academia. Journal articles have become the most popular source of references increasing dramatically from an average of 2.2 references per thesis to an average of 144.4 references per thesis (see Figure 29). Historically, books were the most popular source with articles the least popular. When I asked

current PhD students how they access most of their reading materials, the majority said online. None primarily use the physical library, although student one commented that, what he accesses online tends to be “lots of scanned pdfs of print works” (Interview 6).

Figure 28: The quantity of references per 1000 words referring to different sources



The changes which have taken place have many advantages for scholars. One is that access to sources is much easier. In a qualitative study of the impact of electronic journals on scholarly behaviour, Ollé and Borrego (2010), interviewees regarded the greater access to electronic information as “a real gift” (Ollé & Borrego, 2010, p. 225). They said the speed and convenience of electronic access gave them more time for reading but noted that their reading had become more superficial, marked by “discontinuous, quick, skim reading” (Ollé & Borrego, 2010, p. 224) and that the increase in information availability required a greater degree of discrimination in order to select what to read. Stahn and De Brabandere (2014) also see developments as a positive phenomenon overall. However, they express concern that the increase of online resources tempts scholars to take shortcuts and rely on easily available works for support, which may lead to classical works and arguments becoming side-lined. They also comment that the volume of output makes more difficult to retain (or obtain) expertise and to understand debates in multiple fields, creating an incentive for scholars to seek refuge in ever more niche areas.

I found that, on average, the most recent reference had been published 1.1 years prior to the thesis in the modern corpus (with a range of 1-5 years) compared to 4.0 years in the historical corpus (with a range of 1-17 years). This is almost certainly the result of easier access to information for today's scholars. In terms of historical sources, I found little difference. On average, writers in the modern corpus reached back 153.4 years (ranging from 41 to 343 years) and writers in the historical corpus reached back 169.8 years (ranging from 48 to 337 years). As there are increasing moves toward putting older articles online (Lowe & Wallace, 2011), accessing historical sources is often possible now without having to visit a library.

7.3.4 Summary of whether bibliographies have changed

To sum up, bibliographies have changed from being optional to compulsory and have moved from being located at the front of the thesis to being located at the back. In the modern corpus, most bibliographies are sub-divided according to source type, although there is variation in how this is achieved. What is striking is that the overall length of bibliographies has grown markedly (from an average of no more than three pages to up to fifty pages), and thus unsurprisingly, the average number of references has increased from 77 per thesis to 443 per thesis. However, equally striking is how varied the quantity of references is: ranging from 33 to 166 in the historical corpus and from 202 to 903 in the modern corpus. What also appears to be the case is that, in the Department of Law, students tend to reference more sources than in some other departments at LSE (namely Geography, Management, Sociology and History). When it comes to sources, books have been displaced as the most popular sources by journal articles. Journal articles have soared in use from an average of 2.2 references per thesis to an average of 144.4 references per thesis. Writers in the modern corpus access more recent sources (on average, sources which had been published just one year prior to their thesis being submitted, compared to four years in the historical corpus), and they still reach back to reference sources printed, on average, over 150 years ago. The overall picture is a clear one of diachronic change.

7.4 Have footnotes changed?

Historically, citations tended to be realised via footnotes, with the term 'footnote' first appearing in the Oxford English Dictionary in 1841 (Connors, 1998, p. 39). In 1906, the University of Chicago Manual of Style formalised the elements of footnoting but, by the mid-twentieth century, many disciplines had replaced footnotes with 'parenthetical citation forms', something Connors sees as "*a powerful epistemological shift*" (1998, p. 238). He states that "[d]riven by their closing lists of references, they [parenthetical styles] suggest an epistemological world in which new data are always accruing and cumulating, where mastery of previous work is the primary ethical duty of an author and needs to be constantly proven" (1998, p. 242). The discipline of law did not take part

in this epistemological shift and continues to prefer footnotes to parenthetical citation systems as evidenced in both the historical and modern corpora. Although, in the interviews I conducted two of the respondents said that they use the 'Harvard style' for referencing which is not a footnoting style (Interviews 3 & 7).

For an EAP teacher, legal footnoting styles also present a challenge. Many, like myself, will be familiar with 'parenthetical referencing styles' like APA or MLA but not fluent with the 'language' of legal citation. As Cornell University Law School advises students.

As is true with other languages, learning to read "legal citation" is easier than learning to write it fluently. The active use of any language requires greater mastery than the receiving and understanding of it. In addition, there is the potential confusion of dialects or other nonstandard forms of expression. As already noted, "legal citation," like other languages, does indeed have dialects. Most are readily understandable and thus pose little likelihood of confusion for a reader. To the beginning writer, however, they present a serious risk of misleading and inconsistent models. (Martin P. , 2017, p. n.p.)

In this section, I examine the use of footnotes in the introductions and find there been a change in: a) footnoting styles (Section 7.4.1); b) the quantity, complexity and length of footnotes (Section 7.4.2); and c) the functions of footnote (Section 7.4.3). The details and implications are discussed below.

7.4.1 Changes in footnoting styles

In both corpora, a range of footnoting styles is evident. In the modern corpus, many students use OSCOLA, which is the Oxford Standard for Citation of Legal Authorities and the main system of legal citation in the UK. However, this style would have been unknown to the writers of the historical theses as it was only devised in 2000 when it was created to reduce the "woeful waste of scholarly time caused by the absence of a national standard for citation" (Meredith, 2011, p. 1). An older referencing style, also apparent in the modern corpus, is The Bluebook, now in its 20th edition. This system is widely used in the United States and its origins can be traced by to the early 1920s (Shapiro & Krishnaswami, 2015), so it may have been known to the writers of the historical theses, although it has undergone frequent changes and, as such, has been critiqued for its 'un-uniform' nature (Dickerson, 1996). In the historical corpus, the footnoting style often resembles one which, according to Connors, was imported by many sciences from Germany and "is almost the worst imaginable, since it provides no list of references and begins footnote numbering

anew on each page” (1998:225). Certainly, in all but one case, the writers in the historical corpus begin footnote numbering anew on each page.

Overall, footnoting styles have clearly changed in that footnotes are now continuous (numbering does not begin afresh on every page); footnotes are always numerical (in the past they were sometimes alphabetical) and footnotes are always in English (in the past titles, comments, and quotations were sometimes in Latin, French or German). However, multiple footnoting styles still exist for law. These are often linked to national legal systems, such as the McGill Guide in Canada, or influential legal journals like *Neue Juristische Wochenschrift* in Germany. This multiplicity can present a challenge for those studying international law and for those who seek ‘a uniform system of citation’ as the Bluebook purports to be. Other pressures on legal citation styles include: the need to accommodate an ever expanding list of non-legal works such as blogs, podcasts and websites; the explosion in publishing which has led to growing demands for more information in citations; and a call for greater simplicity with the pioneering Bluebook accused of having “*grown like poisonous ivy*” (Chen, 1991, p. 11794) and having “*become a maze, a thicket, a mutant mass of legalisms run rampant*” (Paulsen, 1992, p. 1704).

7.4.2 Changes in the quantity, complexity and length of footnotes

As predicted, there was a substantial increase in the number of footnotes used in the thesis introductions. The quantity increased by 221% from 3.93 footnotes for every 1000 words to 12.61 footnotes per 1000 words (see Table 21). Unsurprisingly, there was also an increase in the number of individual sources cited: up 150% from 4.74 to 11.87 per 1000 words (see Table 21). This supports the idea that PhD students today are expected to refer to more sources than PhD students in the past.

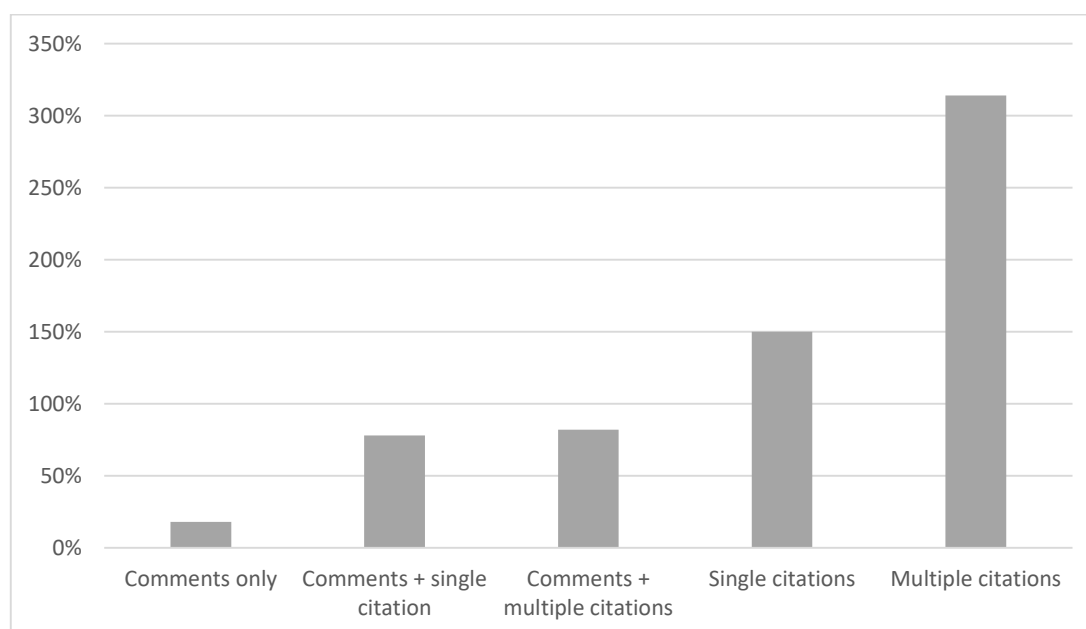
Table 21: Changes in the footnoting

Number per 1000 words	Footnotes	Number of sources cited	Single citations	Multiple citations	Comments	Comments + single citations	Comments + multiple citations
Historical	3.93	4.74	1.81	0.40	0.50	0.96	0.26
Modern	12.61	11.87	6.60	1.67	0.59	1.70	2.04
Change	221%	150%	265%	314%	18%	78%	682%

The type of the footnote varied: most cited a single source, some cited multiple sources, a few were comments which did not cite any sources, some were comments which incorporated a single citation and others were comments which incorporates multiple citations. All forms of footnote

increased in quantity, but increases were most notable for multiple citations (up 314%) (see Figure 30). This paints a picture of footnotes, like bibliographies, becoming increasingly complex and there seem no signs of this changing in the near future.

Figure 29: Increases in types of citation



As is to be expected, footnotes now tend to be more dominant on the page. Back in 1979, Wheeler counted the footnotes used in nine American law reviews in ten-year periods from 1938 through 1978 and found that the number of footnotes at least half a page in length had more than doubled (cited in Magat, 2010). I found that the average number of lines used for footnotes had increased by 257% from an average of 2.8 lines to an average of 9.6 lines (see Tables 22 and 23). In all cases, there were pages containing no references but the longest reference on average in each introduction had increased by 216% from 9.5 lines to 30 lines (see Table 24). Again, this indicates that footnotes are more necessary and more complicated for doctoral students today than in the past.

Table 22: Footnote length in the historical corpus (measured by lines per page)

	W1	W2	W3	W4	W5	W6	W7	W8	W9	W10	TOTAL
Maximum	7.0	7.0	11.0	7.0	0.0	0.0	5.0	32.0	4.0	22.0	9.5
Minimum	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Average	1.4	1.6	3.1	1.7	0.0	0.0	2.7	10.2	1.2	6.4	2.8

Table 23: Footnote length in the modern corpus (measured by lines per page)

	W1	W2	W3	W4	W5	W6	W7	W8	W9	W10	TOTAL
Maximum	35.0	28.0	27.0	23.0	20.0	30.0	39.0	31.0	20.0	42.0	29.5
Minimum	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Average	9.9	6.6	11.1	9.3	5.0	10.3	13.4	12.4	8.0	9.5	9.6

Table 24: Diachronic change in footnote length (measured by lines per page)

	Historical Average	Modern Average	Percentage Change
Maximum	9.5	29.5	216%
Minimum	0.0	0.0	0%
Average	2.8	9.6	257%

However, I did not find evidence of the “*overwritten, over-footnoted style of legal writing*” (Coombs, 1990, p. 1100) which Coombs refers to, where footnotes completely dominate the page to the extent that “*commentary has become subject matter and footnote has become text*” (Coombs, 1990, p. 1100). Although footnotes are more dominant on the page when they were in the past, they have not displaced the main body text in the way that sometimes appear in law review articles.

7.4.3 Has the function of footnotes changed?

The function of footnotes varies. In a seminal article, Rodell (1936) differentiated between the use of ‘probative’ and ‘explanatory’ footnotes in law reviews. He was critical of both blaming them for “*sloppy thinking, clumsy writing, and bad eyes*” (Rodell, 1936, p. 41). Using Rodell’s terminology, Magat (2010, p. 70) defines the rationale for probative footnotes as: to cite the origin of a quotation or summary (thus avoiding accusations of plagiarism); to cite sources which provide support for a writer’s argument or illustrate a debate; and to cite sources which will impress readers with the thoroughness of the writer’s research. She defines the rationale for explanatory footnotes as: to define terms; to expand on the text for the benefit of specialist readers; and to explain complex texts for the benefit of generalist readers. As a broad way of distinguishing footnotes, I found this categorisation useful although ‘probative’ and ‘explanatory’ footnotes were frequently mixed.

Diachronically, all footnote types have increased when counted, on average, per 1000 words. Probative footnotes have increased most (up 274% from an average of 2.21 per 1000 words to

an average of 8.27 per 1000 words) and explanatory footnotes have increased least (up 18% from 0.50 per 1000 words to 0.59 per 1000 words).

Table 25: Number of footnote types (by function) per 1000 words

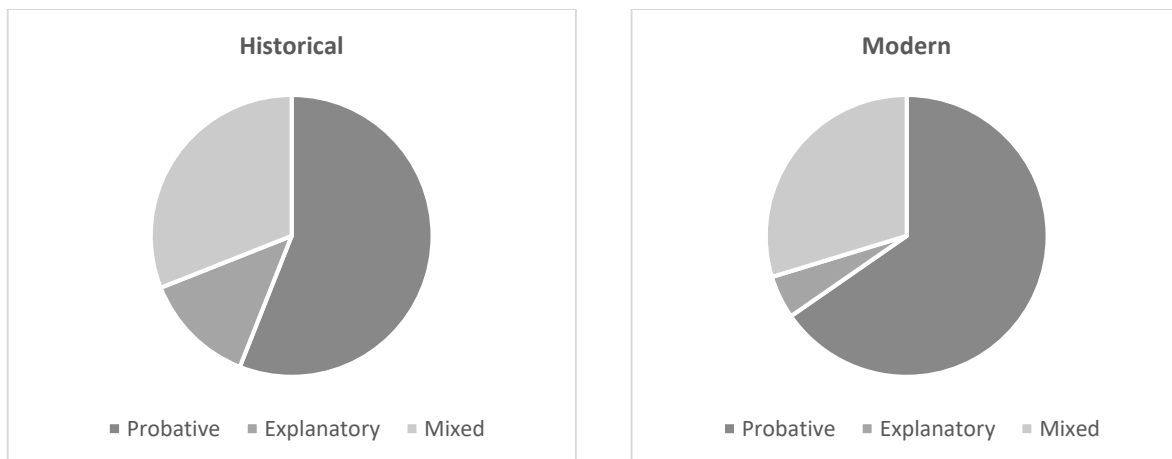
	Probative	Explanatory	Mixed	Total
Historical	2.21	0.50	1.22	3.93
Modern	8.27	0.59	3.74	12.6
Change	+274%	+18%	+207%	+221%

The change is more striking if it is looked at in terms of overall percentages. In the historical corpus, on average, probative footnotes constituted 56% of the total, mixed footnotes constituted 31% of the total and explanatory footnotes constituted 13% of the total. In the modern corpus, probative footnote constituted 66% of the total (a rise of 17%), mixed footnotes constituted 31% of the total (a fall of 4%) and explanatory footnotes constituted 13% of the total (a fall of 63%). In other words, as an overall percentage explanatory footnotes are markedly less common as an overall percentage of the different types of footnote. This has implications for ‘voice’. While some see explanatory footnotes as an irritation and a distraction which diverts the reader’s attention from the primary text (Magat, 2010), others enjoy them as *“the writer’s direct address to the reader, a message slipped under the door, a whispered aside in counterpoint to the formal discourse of the text”* (Hibert, 1989 quoted in Magat, 2010:75). In either case, explanatory footnotes are often a means by which writers’ can express their voice in a less formal way than in the main text of their academic writing.

Table 26: Number of footnote types (by function) as an overall percentage

	Probative	Explanatory	Mixed	Total
Change when comparing overall percentages	+17%	-63%	-4%	0%

Figure 30: Changes in the function of footnotes



7.4.4 Summary of whether footnotes have changed

To sum up, footnoting styles have changed but students continue to use multiple footnoting styles, often linked to national legal systems. In line with the clear increase in bibliography size discussed in Section 7.3 there was a marked increase in the number of footnotes used in the thesis introductions (up from 3.93 to 12.61 footnotes per 1000 words). There was also an increase in the number of individual sources cited (up from 4.74 to 11.87 per 1000 words). Overall, footnote have become more complex in that they are more likely to contain multiple citations. This has resulted in footnotes becoming longer, taking up an average of 9.6 lines per page compared to an average of 2.8 lines per page previously. Finally, writers are more likely to use ‘probative’ footnotes (which afford proof or evidence) than explanatory footnotes (which seek to describe or give reasons). This suggests a shift in voice with writers increasingly using footnotes to demonstrate their knowledge (*“It is the probative footnote that...make[s] a legal article very, very learned”* (Rodell, 1936, p. 40)), and to strengthen their arguments (*“Every legal writer is presumed to be a liar until he proves himself otherwise with a flock of footnotes”* (Rodell, 1936, p. 41)).

7.5 Have citations changed?

As discussed above, footnotes do not necessarily contain a citation, but many do. When it comes to citations, there have been many attempts to categorise them rhetorically. Writing in 2004, White points to at least 20 citation typologies. The range is because at least three separate disciplines have traditions of citation analysis as summarised in Table 27 below.

Table 27: Three separate disciplines with traditions of citation analysis (White, 2004:90)

	Applied linguistics	History and sociology of science	Information science
Sample specialities	<ul style="list-style-type: none"> • Discourse analysis • English for research purposes • Genre analysis 	<ul style="list-style-type: none"> • Science communication studies • Studies of scientific discourse • Social constructivism 	<ul style="list-style-type: none"> • Bibliometrics • Information retrieval • Information needs and uses

It is beyond the scope of this thesis to be able to complete an analysis of all aspects of citation, so I will focus on areas which are of interest in the EAP classroom specifically the use of integral and non-integral citations (Section 7.5.1) and the use of reporting verbs (Section 7.5.2).

7.5.1 Has the use of integral and non-integral citations changed?

Within the field of applied linguistics, a common approach has been to distinguish between integral and non-integral citations, as proposed by Swales (1990). In this approach, integral citations are defined as those which use the name of the author within the sentence and non-integral citations are defined as those which place the author's name in parentheses or, in the case of my corpora, within footnotes. In non-integral citations, the writer's voice is considered to be more dominant than in integral citations (Hyland & Jiang, 2017b; Peng, 2019). Research has suggested that novice writers tend to use more integral citations (Mansourizadeh & Ahmad, 2011), that 'hard' disciplines favour non-integral references (Hyland, 1999; Thompson P. , 2001) and that there is a growing preference for non-integral references, which Hyland and Jiang believe "*suggest[s] a movement towards suppressing human agency in knowledge-making and placing greater emphasis on the reported studies rather than those who conducted them*" (Hyland & Jiang, 2017b, p. 18).

In my research, I found that, in the historical corpus, writers used fewer citations overall. The average number of integral citations per 1,000 words was 1.42 (compared to 4.7 in the modern corpus) and the average number of non-integral citations per 1,000 words was 2.01 (compared to 7.96 in the modern corpus). This finding is in line with the fact that writers in the modern corpus have longer bibliographies, use more footnotes, and use more footnotes containing multiple citations. What was also notable was that three of the writers in the historical corpus used no citations at all and, in both corpora, individual writers exhibited marked difference in their use of citations. Thus, in the historical corpus, the range of integral citations was from 0 to

5.8 per 1,000 words (compared to 1.4 to 6.4 in the modern corpus) and the range of non-integral references was from 0 to 6.3 per 1000 words (compared to 1.7 to 16.7 in the modern corpus).

The jagged profile exhibited by writers in their use of citations means that generalisations are potentially misleading, especially as the overall sample size is quite small. Nonetheless, the overall picture is that, in the historical corpus, 41.4% of the citations are integral and 58.6% are non-integral. Thus, non-integral citations are used more frequently than non-integral citations. In the modern corpus, the balance has shifted even further toward a preference for non-integral citations: 33.8% of the citations are integral and 66.2% are non-integral. This suggests that writers are placing more emphasis on ‘what is said’ than ‘who said it’. However, as Harwood (2009) notes, it can be difficult to identify writers’ purposes and intentions from the text alone. Moreover, individual differences exist. For example, in both corpora, three writers use more integral citations than non-integral citations (highlighted blue in Table 28 below). Therefore, even though there appears to be a shift towards non-integral citations, it cannot be concluded that there is a universal preference for non-integral citations in either corpus.

Table 28: Integral and non-integral citations

	Historical Corpus Per 1000 words				Modern Corpus Per 1000 words			
	Integral		Non-Integral		Integral		Non-Integral	
W1	2.4	54.2%	2.0	45.8%	5.4	31.3%	11.8	68.7%
W2	0.0	n/a	0.0	n/a	2.1	24.3%	6.6	75.7%
W3	5.8	78.1%	1.6	21.9%	5.4	35.2%	9.9	64.8%
W4	0.5	100.0%	0.0	0.0%	5.3	41.3%	7.6	58.7%
W5	0.0	n/a	0.0	n/a	3.5	66.7%	1.7	33.3%
W6	0.0	n/a	0.0	n/a	5.8	51.4%	5.5	48.6%
W7	1.7	44.4%	2.2	55.6%	3.5	17.2%	16.7	82.8%
W8	2.2	26.3%	6.2	73.7%	6.4	50.0%	6.4	50.0%
W9	0.0	0.0%	1.8	100.0%	1.9	20.0%	7.6	80.0%
W10	1.6	20.0%	6.3	80.0%	1.4	19.4%	5.8	80.6%
Average	1.42	41.4%	2.01	58.6%	4.7	33.8%	7.96	66.2%

7.5.2 Has the use of reporting verbs changed?

Integral citations are often introduced with reporting verbs. These are frequently taught in EAP classrooms with a focus on meaning, form and tense. When teaching reporting verbs, I often use a chapter from *Academic Vocabulary in Use* (McCarthy & O'Dell, 2008) which contains 27 reporting verbs. However, in the historical corpus, writers draw on a range of 130 reporting

verbs. While, in the modern corpus, writers draw on an even more extensive range of 180 reporting verbs. This demonstrates what a rich lexical area reporting verbs represent.

In terms of the most frequent reporting verbs, 'say' is the most frequently used verb in the historical corpus with 0.59 instances per 1000 words but, in the modern corpus, it has fallen to 7th on the list with 0.13 instances per 1000 words. The most frequently used verb in the modern corpus is 'argue' with 0.62 instances per 1000 words. It was only 9th on the list in the historical corpus with 0.08 instances per 1000 words. This change may reflect the shift from description ('saying what the law is') to evaluation ('arguing what the law should be') discussed previously.

When it comes to other reporting verbs, 'state' and 'hold' are popular verbs in both corpora. 'State' rises slightly from 5th position and 0.21 instances per 1000 words to 2nd position and 0.28 instances per 1000 words. 'Hold' does the opposite, falling from 2nd position and 0.33 instances per 1000 words to 4th position and 0.20 instances per 1000 words. Neither of these verbs appear in the ten most frequent verbs identified by Hyland and Jiang (2017a). I find this surprising in the case of 'state', which I would have expected to be widely used in many disciplines, but understandable in the case of 'hold' which tends to be used to report the findings of a judge or court as illustrated in the examples below:

*Thus, Lord Scarman **held that** '[D]efinition is a poor instrument when used to determine whether a transaction is or is not unconscionable: ...*

*... in City of Boerne v Flores 17 the Supreme Court **held that** the RFRA was unconstitutional as far as it related to state law*

In the modern corpus, three verbs occur in the top seven positions which did not feature in the historical corpus at all, specifically: note, refer to and highlight. The last of these verbs (highlight) also features on the Academic Word List mentioned so is frequently used in academic English more generally. All the verbs in the top seven positions in the historical corpus also occur in the modern corpus but the verb 'reject' is less common falling from 6th position, and 0.15 instances per 1000 words, to 12th position and 0.03 instances per 1000 words. This is the only verb within the top seven positions which has a negative connotation.

Table 29: The most frequent reporting verbs in each corpus

	Historical Corpus			Modern Corpus		
	Verb(s)	Number of instances per 1000 words	Change in position	Verb(s)	Number of instances per 1000 words	Change in position
1	Say	0.59	Down to 8	Argue	0.62	Up from 9
2	Hold	0.33	Down to 4	State	0.28	Up from 5
3	Regard	0.28	Down to 12	Describe	0.27	Up from 9
4	Point out	0.26	Down to 9	Hold	0.20	Down from 2
5	State Write	0.21	Up to 2 Down to 13	Identify Put	0.18	Up from 11 Up from 11
6	Reject	0.15	Down to 12	Note Refer	0.15	/ /
7	Consider Find	0.13	Down to 9 Down to 9	Explain Highlight Say	0.13	Up from 10 / Down from 1

Note: multiple verbs occupy the same position if they occur with the same frequency

/ = did not occur in the historical corpus or does not occur in the modern corpus

One of the writers in the historical corpus made liberal use of adverbs and other linguistic devices to show his opinion of what authors had said or done, or to indicate the authors' affective state. For example:

- *Phillimore and Westlake...discussed **with great thoroughness**...*
- *Grotius argues the case **with great lucidity**...*
- *He urges **gravely**...*
- *Textbooks quote **eagerly**...*
- *Bynkershoek states **coolly**...*
- *Anzilotti and Cavaglieri **strongly** deprecate*

This is not something that any of the other writers in the historical corpus did, nor is it something that any of the writers in the modern corpus did but, what it illustrates is that, as discussed in Chapter 6, writing style is not uniform.

When it comes to tense, diachronically, Hyland and Jiang (2017a) found disciplinary differences in the use of tense with reporting verbs³⁸. I did not find a diachronic change in terms of which tenses were most common. In both corpora, present tenses were the most common for reporting verbs, followed by past tenses and then perfect tenses. However, I did find differences in use. Most notably, a 12% increase in the use of perfect tenses. This is somewhat surprising given that Shaw (1992) links perfect tenses to the passive voice and the use of passive voice has fallen by 11.5% (see Section 6.4). However, as Morley-Warner (2000) notes, the present perfect tense tends to be used for general reference to the literature and this is in line with the increase in multiple citations (and thus general references) in the modern corpus. Moreover, perfect tenses are common in introductions as they indicate ‘recency’ or ‘currency’ (University of Melbourne, nd). This may be positive (asserting that previous studies have established a firm research foundation) or negative (asserting that not enough relevant or valid work has yet been done). As Chapter 5 discussed, writers in the modern corpus are somewhat more likely to state in their introductions that they are building on a research tradition (Step 3f) or to identify gaps in previous research (Step 3b). So, from this perspective, the increased use of perfect tenses makes sense.

Table 30: The most frequent tenses in each corpus

	Historical Corpus	Modern Corpus
Past	44%	34%
Present	47%	45%
Perfect	9%	21%

7.5.3 Summary of whether citations have changed?

To sum up, an analysis of the use of citations in the corpora indicates that the use of integral citations has decreased. However, there is substantial variation in the way that individual writers use citations (both integral and non-integral) and this weakens the validity of generalisations. With reporting verbs, the range used has increased and there have been changes in the reporting verbs which are most popular, possibly reflecting a shift from describing the law to evaluating the law. There is also evidence of disciplinary difference in the reporting verbs most popular in law. Disciplinary difference extends to the choice of reporting tenses. In the case of law, the present

³⁸ In sociology and engineering, they found that present tenses have become the most common, replacing past tenses and perfect tenses respectively. In applied linguistics, they found the opposite: past tenses have become the most common, replacing present tenses. While, in biology, they found past tenses have remained the most common.

tense remains the most common, followed by the past tense and then perfect tense. However, the perfect tense has seen an increase in use. Once again, there is evidence of individual variation in the way that writers use reporting verbs; statistics like the ones presented above gloss over individual variation within corpora and thus must be treated as indicative rather than conclusive.

7.6 Has the use of quotations changed?

The final focus of this chapter is on the use of quotations. A number of researchers have examined the use of quotation in students' work. For example, Petrić (2012) examined 16 master's theses in the field of gender, which were written in English by second language writers at an English-medium university in Central Europe. Counter to her expectations, she found that the high rated theses contained three times as many direct quotations as low-rated theses. However, many of the quotations were fragments. In this section, I examine the use of quotations in the theses with a focus on: how many quotations are used (Section 7.6.1), how long the quotations are (Section 7.6.2), and whether there is a diachronic shift (Sections 7.6.1 and 7.6.2).

7.6.1 Has the quantity of quotations changed?

The mean number of quotations per thesis has increased by 199% from an average of 8.5 per introduction in the historical corpus to an average of 25.4 in the modern corpus. This is unsurprising given that, in general, the introductions in the modern corpus are much longer than those in the historical corpus (see Chapter 5). Nonetheless, the mean number of quotations per 1000 words has also increased dramatically: up 125% from 1.6 quotations on average per 1000 words in the historical corpus to 3.6 quotations on average per 1000 words in the modern corpus.

Table 31: A comparison of the mean number of quotations in the introductions

	Average number of quotations per introduction	Average number of quotations per 1000 words
Historical	8.5	1.6
Modern	25.4	3.6
Percentage Change	199%	125%

If the quantity of quotations in individual theses is examined, it is clear that there is substantial variation within each thesis and that there are writers from the historical corpus who use more quotations than writers from the modern corpus. Thus, as has been previously noted, the picture is not quite as straight-forward as the averages suggest.

Figure 31: The number of quotations per 1000 words in each thesis

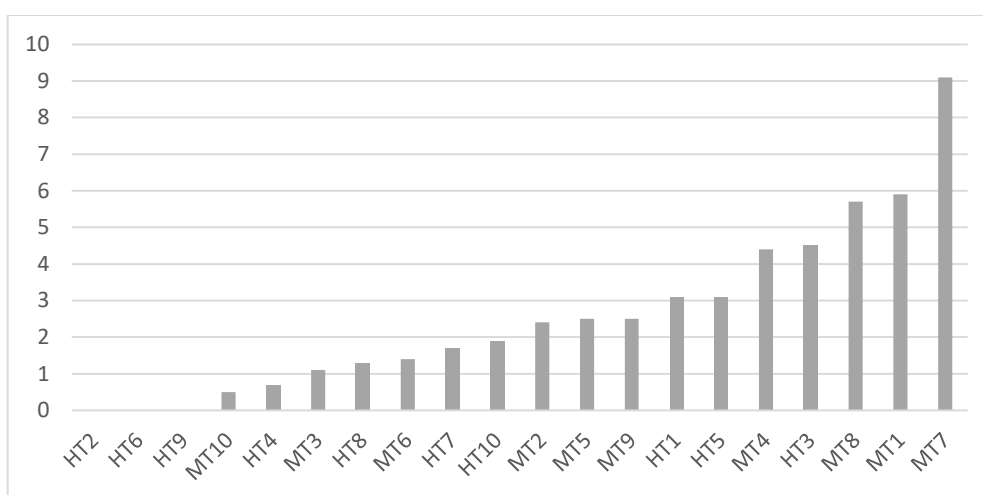


Table 32: The number of quotations in each thesis

	Historical Corpus		Modern Corpus	
	Total number of quotations	Number per 1000 words	Total number of quotations	Number per 1000 words
W1	17	3.1	62	5.9
W2	0	0.0	10	2.4
W3	39	4.5	5	1.1
W4	4	0.7	37	4.4
W5	3	3.1	13	2.5
W6	0	0.0	9	1.4
W7	4	1.7	74	9.1
W8	12	1.3	38	5.7
W9	0	0.0	4	2.5
W10	6	1.9	2	0.5

7.6.2 Has the length of quotations changed?

On average, direct quotations constitute a similar number of words in each corpus wherein the total number of words has risen slightly from 430.3 to 434.5 (+1%). However, this masks the fact that introductions have increased in length. As an overall percentage of the introduction, direct quotations have fallen from 8.32% to 6.06% (-27.2%). What is also striking is that the average length of the shortest quotation has fallen from 7.1 words to 3.5 words (-50.7%) and the average length of the longest quotation has also fallen, albeit not quite as much, from 88.5 words to 64.1 words (-27.6%). What this shows is that while the overall number of quotations per 1000 words has increased by 125%, writers in the modern corpus quote more sparingly.

Table 33: A comparison of the mean number of quotations in the introductions

	Overall number of words that are direct quotations	Percentage of introduction composed of direct quotations	Average length of shortest quotation	Average length of longest quotation
Historical	430.3	8.32	7.1	88.5
Modern	434.5	6.06	3.5	64.1
Percentage Change	1.0%	-27.2%	-50.7%	-27.6%

As with the quantity of quotations, a look at the length of quotations in individual thesis paints a more complex picture. In the historical theses, the number of words used for quotations ranges from 0 to 2022 while, in the modern theses it ranges from 50 to 1093. Thus, there are clear differences in the way that individual writers use quotations. Similarly, quotations form from 0% to 37.3% of the whole in the historical theses and from 1.2% to 11.5% of the whole in the modern theses. Again, this represents quite a range. The same is true for shortest and longest quotations. The shortest quotations range from 3 words to 29 words in the historical theses and from 1 word to 19 words in the modern theses. The longest quotations range from 16 words to 359 words in the historical theses and from 19 words to 125 words in the modern theses. Thus, while overall there is a clear shift toward writers using shorter quotations, there are substantial differences in the use of quotation within each corpus.

Table 34: The length of quotations in each thesis

	# Words		% of the whole		Shortest		Longest	
	Hist.	Modern	Hist.	Modern	Hist.	Modern	Hist.	Modern
W1	2022	901	37.3	8.6	14	2	359	70
W2	0	51	0.0	1.2	0	1	0	19
W3	727	94	8.4	2.0	3	1	60	50
W4	143	772	2.6	9.2	8	2	49	109
W5	98	248	10.2	4.8	5	2	56	78
W6	0	117	0.0	1.8	0	2	0	20
W7	36	935	1.6	11.5	4	2	16	74
W8	837	1093	9.3	16.3	8	1	198	125
W9	0	50	0.0	3.2	0	3	0	31
W10	440	84	13.8	2.0	29	19	147	65

Before moving on, there are two other points of note. Firstly, as previously mentioned, in the historical corpus, there is an expectation that the reader will understand languages other than English. Thus, for example, Bulmer (1925) includes a 132-word quotation in French and Lauterpacht (1926) includes four quotations in Latin and one in French (none of which are translated). Doctoral students at LSE are as international now as ever, probably more so, but the dominance of English as an academic lingua franca has reduced the expectation that educated readers will (should) be competent in other languages.

Secondly, in the historical corpus, in one of the theses, quotations are used in a way which would be problematic now. Specifically, in Bulmer (1925) the introduction is divided into two sections. Overall, quotations make up 37.3% of the total, which is more than in any other thesis. Compounding this, in the second section which acts as a literature review, 62.6% of the text involves direct quotations (specifically, 2022 words out of 3232 words).

7.6.3 Summary of whether the use of quotations has changed

To sum up, the mean number of quotations per 1000 words has seen a substantial increase from 1.6 quotations on average to 3.6 quotations on average. However, as an overall percentage of the introduction, direct quotations have fallen from 8.32% of the total word count to 6.06% and the average length of the shortest quotation has fallen from 7.1 words to 3.5 words. Thus, while the overall number of quotations per 1000 words has increased, writers in the modern corpus quote more sparingly. As has been remarked on throughout this chapter, individual writers exhibit substantial variation, and this should not be forgotten when commenting on the bigger picture.

7.7 Chapter conclusion

This section has examined diachronic changes in the use of literature in PhD introductions. It found that bibliographies were not compulsory in the historical corpus and, if they were present, they were located before the main body. By contrast, in the modern corpus, bibliographies were compulsory and were situated after the main body. Other findings were that the length of bibliographies has increased substantially (from 77 references on average to 443 references on average) and journal articles, which were once the least-used source, have displaced books as the most widely-used source.

Unlike other disciplines, which have shifted to parenthetical referencing, law continues to use footnotes for citation although writers can use multiple styles. The number of footnotes in each introduction has expanded greatly (from an average of 3.93 footnotes for every 1000 words to an average of 12.61 for every 1000 words); footnotes have become more dominant on the page

(expanding from an average of 2.8 lines per page to an average of 10 lines per page) and, generally, footnotes have become more complex (with a 682% increase in footnotes which include a comment and multiple citations). In terms of function, writers in the modern corpus use fewer explanatory footnotes and more probative footnotes.

In line with Hyland and Jiang (2017b), I found that writers in the modern corpus use more non-integral references and fewer integral references than writers in the historical corpus. I also found that there have been some changes in the use of reporting verbs which include: writers in the modern corpus drawing on a greater range of reporting verbs (180 compared to 130); changes in which reporting verbs are most frequent (although 'state' and 'hold' remain popular in both corpora) and changes in the tenses used with reporting verbs (fewer past tenses and more perfect tenses).

It has been argued that the way in which writers interact with literature varies according to the epistemology and ideology of the discipline concerned (Hyland, 2001; Charles, 2006c). For EAP teachers not necessarily expert with the academic disciplines of their students, this can present a challenge. For example, writing about his experiences of teaching English for Academic Purposes (EAP) to law students Pajak (2018) highlights the problem of believing that general academic skills can map onto legal skills. He uses referencing in law as an example stating:

...it is simple to say referencing is important, a given; it is also a fairly straightforward task to discover that OSCOLA is the system used. In this sense the skill is transferable, we can talk about plagiarism and synthesizing sources too, perhaps argumentation in conjunction with referencing. However, what is less obvious is how strongly this is interwoven with other aspects of legal skills and the creation of knowledge in law. There are fundamental differences, the nature of the sources being one example. Primary sources are statutes and cases. This includes the voices of judges and dissenting judges which are often quoted. In this sense the language is the law. Secondary sources are academic articles. In both cases all voices are intertextual and speaking to one another in some way while deeply embedded in the legal system. A concrete entity which embodies legal thinking. The way this structural difference bleeds into the language, legal argumentation, and the epistemological concerns of students demonstrate that an understanding of referencing as a general skill is insufficient. So, even if as a failsafe the course designer focuses on skills, there is a lot of 'content' knowledge that is obscure for

those with an EAP background which directly affects the discourse of the discipline.

(Pajak, 2018, np)

I have quoted Pajak (2018) at length because his words summarise a central dilemma in EAP, namely to what extent is academic English universal and to what extent is it discipline-specific? If EAP is seen as universal, or at least an area where core language and skills are transferable, EAP teachers can aim to become experts in the field of EAP and thus help students regardless of academic discipline. If, as evidence increasingly seems to suggest, EAP is discipline-specific, not only do EAP teachers need to become experts in their own field, they also need to understand the academic disciplines of their learners, something far more challenging.

Chapter 8: Conclusion

8.1 Summary

In this dissertation, I examined PhD theses, a genre which has received much less attention from EAP researchers than research articles, despite the fact that EAP classrooms centre on students who need to write essays, dissertations and theses. In particular, I focussed on legal theses partly because when EAP researchers have analysed theses, they have done so in disciplines other than law. By conducting a synchronic analysis of theses written in 2014/2015, I highlighted that legal theses are a distinct genre compared to journal articles, and also differ from PhD theses in other academic disciplines. As such my research complements and contributes to the research that has been conducted on generic and disciplinary differences

My research was grounded in an ESP approach to genre analysis. This approach has been criticised for textual bias (Lillis and Scott, 2007, p. 11). However, practitioners such as Bhatia, Hyland and Swales have spearheaded a broader consideration of disciplinary and cultural contexts. Having said this, Swales recently complained that research papers on EAP remain “*a) too textual, [and] b) too ‘thin’ in Geertz’s sense*” (Swales, 2019, p. 81). He also noted that practice in the classroom has lagged behind the research. To mitigate against accusations of textual bias, this dissertation included a focus on context as well as text. Thus I considered the generic, institutional and disciplinary contexts of the texts, which included interviewing PhD students and surveying PhD supervisors. In so doing, I sought a richer understanding of legal theses as a genre.

For a similar reason, I adopted a diachronic perspective showing how legal theses have evolved as a genre. Diachronic studies have been rare in EAP but they provide a richer and more detailed understanding of genres than synchronic studies alone. They also highlight the dynamic nature of genres and the way in which texts are affected by external contexts. Using the analogy of a cracked rear-view mirror, Paré (2019) warns of the dangers using the past to prepare for the future, especially during periods of rapid and/or profound change as is the case with the PhD. However, I would argue that appreciating how a genre has developed makes teachers less prone to treat genres as static and thus more prepared for the future.

I began this dissertation with three broad research questions: have the structures and themes of theses in the corpora changed; have writing styles changed; and has the use of literature changed? I chose to focus on these areas because they often form part of an EAP syllabus. In Chapter 5, I focused on the first research question. I began with some initial observations on thesis structure, thesis topics, and introduction length and format. This revealed a trend towards standardisation

(although theses remain far from uniform) and a notable shift in thesis topics with writers researching new areas of international law and more likely to analyse how the law can be used to improve society.

Following this broad survey of the texts, I used move analysis to examine the rhetorical structure of the thesis introductions concluding that there is clear evidence of diachronic change. The thesis introductions in the modern corpus are longer and more complex and writers are more focused on the specifics of their research. As a model of rhetorical structure, neither the CARS model suggested by Swales' (1990) nor the revised version for theses suggested by Bunton (2002) are ideal as they imply linearity (although both Swales and Bunton recognise the existence of move cycles). Thus, EAP teachers should be cautious when using such models. Moreover, as Thompson notes, *"the main value of a genre approach to PhD theses.... lies in the heuristic potential of such an approach, rather than as a set of prescriptions for how texts should be structured and expressed"* (Thompson, 2016, p. 379). This is important because, while conventions can facilitate communication, they can also work against writers by encouraging an over-formulaic approach.

In Chapter 6, I turned to the question of writing style with a focus on readability, engagement and stance. I found a marked drop in the use of passive sentences, and a slight decrease in sentence length. I also found evidence of more writers starting their theses with an 'engaging opening' and a 46.7% increase in using linguistic engagement markers such as reader mention and direct questions. The students I interviewed were sensitive to the importance of catching, and maintaining, their readers' interest, with three out of eight citing this as the feature of a good introduction. When it comes to stance, I found a trend towards fewer boosters and more hedging (which has made writing more tentative and cautious), more personal pronouns for self-reference (which implies increased acceptance of this strategy, but which has not led to more personalised writing) and fewer attitude markers (although these were never widely-used). On the whole, writers in both corpora adopt a formal, faceless stance, albeit with a few exceptions. For EAP teachers and students, while it is important to be aware of stylistic norms, it is also important to examine stylistic variation and to consider what impact that has on communication.

One of the challenges for PhD students is how to use existing literature to demonstrate their knowledge of the field and support their arguments while developing a distinctive voice. Chapter 7 focussed on use of literature examining changes in bibliographies, footnotes, citations and quotations. A striking change was that writers in the modern corpus consulted a far greater number of sources (increasing from 77 references on average to 443 references on average). In terms of function, probative footnotes (which provide evidence) have increased most (up 274%

from an average of 2.21 per 1000 words to an average of 8.27 per 1000 words) and explanatory footnotes have increased least (up 18% from 0.50 per 1000 words to 0.59 per 1000 words). There is evidence of greater use of non-integral references (seen as a way of shifting the focus from the author to the message), although this masks individual variation between writers. Another change which is striking is that, while quotations are used more plentifully, they are also used in shorter fragments, arguably a sign of writers integrating the literature more effectively in their own texts.

Thus, the answer to my research questions is 'yes'; in all three areas there is clear evidence of diachronic change, which shows that genres should not be treated as static as is often the case in EAP classrooms. There is also clear evidence of academic discipline having an impact on rhetorical structure, writing style and the use of literature. This is often overlooked in commercial textbooks and the reality of institutional contexts.

8.2 Implications

In addition to highlighting the importance of generic, disciplinary and institutional contexts, and thus the danger of "*non-existent universal academic English...[being] taught to students from a range of disciplines*" (Wingate, 2008, p.351), what my research has underscored is the extent of individual variation between writers. Genre analysts in the field of EAP do not pretend that their rhetorical models and patterns of language use are all encompassing; they are intended to boost generic competence not to dictate genre 'performances'. However, I believe that that a quest for generic commonalities can lead to the importance of individual differences being glossed over. The writers of PhD theses have to balance demonstrating that they belong to their disciplinary community through use of accepted conventions while, at the same time, striving for an individual and original voice. Thus, I would argue that generic features should be presented along a cline (not in terms of 'generic' or 'non-generic') and students should be encouraged to think about the impact of individual variations along the cline, to think about what stands out as well as what is shared. In this way, students will be better equipped to develop their voice within disciplinary parameters.

When it comes to understanding how academic writing is shaped by disciplinary norms and epistemologies, this is challenging for EAP teachers who are rarely specialists in the academic disciplines studied by their students. It has been argued that academic writing is best taught within the curriculum rather than as a 'bolt on' as is often the case (see Wingate, 2016). This could be done directly by academics or by academics working in tandem with an EAP teacher or study skills advisor. Wingate (2016) argues persuasively for such an approach, noting that it

would benefit all students and that non-native speakers of English (NNES)³⁹ are not the only ones who need support with academic writing. However, this would require institutional change. For instance, academics at LSE are under immense pressure to publish, obtain research grants, and manage increasing administrative loads. Career advancement is linked to producing ‘REF-able’ articles, not to teaching. Many academics lack the time and/or inclination to teach academic writing, even in tandem with an EAP teacher or study skills advisor.

Having said this, universities are being urged to improve the teaching experience as the introduction of the Teaching Excellence Framework (TEF) in 2017 illustrates. As part of this, LSE has introduced an Inclusive Education Action Plan which aims to embed explicit skills instruction into programmes (see Figure 33).

Figure 32: Inclusive Education Action Plan (LSE, 2019/20)



³⁹ NB: I am aware that the categories of native-speaker (NES) and non-native speaker (NNES) are problematic and that there are students who do not easily fit into either. For example, I currently have students from Hong Kong, India and South Africa in my classes who are bi- or multi-lingual. I also recognise that the terms, incorrectly, imply that NES superior to NNES, when many NNES are highly expert users, with a better understanding of how English works than many NES.

This plan has been proposed from an academic literacies' perspective, with BME students in mind. What Wingate and Tribble (2012) make the case for is an approach which blends academic literacies and EAP arguing:

Academic Literacies has been mainly focused on the situations of 'non-traditional' students and has not sufficiently acknowledged the theoretical and pedagogical potential of EAP for developing a mainstream instructional model [and that] EAP is too focused on the needs of non-native speakers of English and has, therefore, failed to make an impact on mainstream writing instruction. (p. 481)

They aim to identify shared principles that can be used for developing relevant writing support programmes for students from all backgrounds.

While admirable, a potential downside is that this could side-line language. EAP is about more than surface-level grammar and vocabulary but I believe surface-level grammar and vocabulary still have a place in EAP classrooms. As Lee and Swales note (2006):

...if they [students] already possess the appropriate genre knowledge, as is often the case with non-native speaker of English students completing their doctoral degrees, then what they may be mostly missing is fine-tuning of lexical and syntactic subtleties, particularly in terms of their strategic and rhetorical implications. (p.56).

Some of this "fine-tuning" may be of interest to NES and NNES alike. For example, the PhD Academy at LSE runs writing workshops led by a 'writing coach' in which I have seen all the participants, regardless of language background, actively engage with how to improve a sentence or the impact a different word choice might have on a reader. However, there also areas of English which, at least in my experience, can be a challenge for even highly proficient NNES but are fairly straight-forward for educated NES. For example, when to use the present perfect instead of the past simple, which article or preposition to use, or the meaning of metaphors found in academic articles⁴⁰. In short, while there is a case for blending Academic Literacies and EAP, I think it is important not to overlook support that is specifically for language.

⁴⁰ For example, a student recently asked me about the meaning of 'a level playing field', 'a shot across the bows', 'a lightning rod' and 'to jump on the human rights bandwagon', all of which she had come across while reading academic articles.

In addition, NNES may have mixed feelings about the advantages of opening academic writing programme to NES. Two years ago, I conducted focus groups with MSc students and raised the possibility of this⁴¹. Some students were very positive saying it would be “*great to have more teachers*” and good for developing friendships. Others were less enthusiastic. One said she would be “*ashamed to speak*” in front of NES. Another felt the inclusion of NES would “*depress and discourage*” and that she would “*not be brave enough to ask questions*”. A third was concerned about losing a “*safe space*”. Thus, while closer collaboration between EAP teachers and subject specialists is desirable, opening academic writing classes to all students, as Wingate advocates (2016), may result in NNES losing a valuable source of support.

8.3 Significance and contribution of the study

This section details the significance and contribution of this study in terms of methodology, theory and pedagogy.

8.3.1. Methodological significance and contribution

In the field of EAP, it is increasingly recognised that genre-based studies should take account of context as well as text. This has extended genre analysis beyond the text to include the context in which the texts were produced. Nonetheless, as Lillis points out, there is often an “*ontological gap between text and context in academic writing research*” (2008, p. 353). She argues for the value of ethnography in academic writing research at three levels: “*as method*”, “*as methodology*” and “*as deep theorising*” (2008, p. 355). I do not claim that my work is ethnographic. As Swales says when he labels his work in *Other Floors, Other Voices* a textography, not an ethnography, “*ethnography is not a label I am comfortable with. For one thing I am a discourse analyst and an applied linguist, not a cultural anthropologist or a sociologist with an orientation toward fieldwork. For another the term itself has become a conflicted and controversial one*” (2018, p.2). However, I would argue that diachronic analysis can play a useful role in narrowing the gap between text and context and showing that “*language and the social world are mutually shaping*” (Rampton et al, 2004, p.2, cited in Lillis, 2008, p.375).

Rich historical contextualisation is rare in EAP. Hyland and Jiang have recently begun to publish diachronic research. However, their focus has tended to be on tracking how individual features

⁴¹ Thirty participants took part in the four focus groups, with 7-8 students per group. Overall, there were 23 women and 7 men; 17 nationalities; 17 departments.

of language have changed, like those associated with stance (2016a), engagement (2016b), or formality (2017b). They do not examine change at the more macro level of genre, as I do in this research. Moreover, in line with much of Hyland's research, they track these changes across different disciplines comparing, for example, how self-mention, has changed in the fields of applied linguistics, sociology and biology. This is valuable in highlighting disciplinary differences as well as disciplinary changes but it means that they do not provide an in depth study of an academic discipline as I do with law.

Methodologically, my research has been inspired by the work that Bazerman did in 1988 when seeking a better understanding of how writing works "*socially, historically, philosophically and psychologically*" (Bazerman, 1988:9). Bazerman's research showed how epistemological changes in the field of science, and societal changes in the context within which texts are produced, impacted on the structure and content of texts leading, for example, to shorter methods sections in scientific articles and a move from making uncontested reports of events to making claims and offering experimental proofs in experimental reports. Bazerman hails from the New Rhetoric tradition of genre analysis and his research took place over thirty years ago. There have been few attempts to conduct similar research in the field of EAP despite the increased recognition of the importance of context.

To sum up, the methodological contribution my research makes is to use diachronic analysis in genre analysis to narrow the gap between text and context in genre research in the field of EAP.

8.3.2. Theoretical significance and contribution

In Section 2.4, I drew upon an influential article by Hyon (1996) to differentiate between three traditions of genre analysis: the New Rhetoric (NR) tradition; the Systemic Functional Linguistics (SFL) tradition; and the English for Specific Purposes tradition (ESP). The ESP tradition has had the most influence on my field, English for Academic Purposes (EAP), and, in line with this, my research has drawn upon researchers from the ESP tradition like Swales, Bhatia and Hyland. However, my research has also been inspired by concepts from other traditions and, in particular, by researchers from the NR tradition like Bazerman (1988), Devitt (2015) and Tardy, (2016). Thus, my research has included looking for generic patterns and regularities, which is the general approach within the ESP tradition, but it also acknowledges that every 'performance' of genre is unique and that variation and innovation are important, ideas which stem more from the NR tradition.

Theoretically, generic patterns, variation and innovation are not original concepts. However, while the traditions laid out by Hyon are probably more blurred today than they were in 1996, *“the three traditions essentially survive”* (Swales, 2012, p. 113). In my experience of teaching EAP, reading EAP journals and attending EAP conferences, the field of EAP is still heavily dominated by the ESP tradition of genre analysis and pays limited attention to the NR tradition of genre analysis. I believe the field of EAP would be strengthened by learning more from the NR tradition and, making the case for linking different genre traditions is a theoretical contribution I hope to have made.

8.3.3 Pedagogical significance and contribution

Genre analysis has tended to focus on research articles and, to my knowledge, there has been no research into PhD theses in the field of law. As such this dissertation constitutes an original contribution to the field and the findings have relevance for EAP teachers who take a genre-based approach to academic writing. Specifically, Chapter 5 demonstrated that the introductions of law theses are distinct from the introductions of research articles and that Swales’ Creating A Research Space (CARS) model is not a good fit even when, as with Bunton (2002), it is adapted for thesis writing and makes allowances for disciplinary differences. For example, while most of the theses in the corpora contained the three ‘moves’ identified by Swales, the moves rarely occurred in a neat, linear fashion and while most of the ‘steps’ could be connected to a particular ‘move’, several steps were ‘move independent’, meaning they could fit into more than one move category depending on how they were performed. An ‘open-CARS’ model like the one put forward by Ono (2017) is a more accurate description of how legal theses are shaped, but it lacks the clarity of the original model.

Pedagogically, this means EAP teachers should be wary of offering students ‘models’ for writing thesis introductions. Instead, given the length and complexity of thesis introductions, it might be more productive for teachers and students to analyse how different writers have divided their thesis introductions into sections and managed the discourse within each section in terms of clarity, engagement, flow and cohesion, rather than trying to develop a rhetorical model of thesis introductions as a whole. This would discourage what Tardy describes as *“the real risk of equating them [genres] with de-contextualised templates or formulas, patterns that writers can simply plug in with minor modifications”* (2016, p.8)

The complexity of many of the steps used in in thesis introductions also means that it would be productive for EAP teachers and students to take a more in-depth look at *how* writers have accomplished key steps. This could mean taking a look at steps that students find difficult (for example, what one interviewee described as *“the introductory and scene setting bits”*) and

analysing not only if, for instance, writers make a claim for the centrality of their research but also how they make that claim and how they support that claim with evidence. It could also mean taking a closer look at steps that can extend to many pages (like “defining terms” or “reviewing the literature”) and breaking those steps down into micro-steps.

Chapter 5 is also pedagogically significant in that it highlights a shift in legal theses from writing about ‘what is’ to ‘what should be’. This has pedagogic interest because the language associated with evaluative accounts of ‘what should be’ differs from the language associated with factual accounts of ‘what is’. For instance, evaluative language is more likely to be hedged or cautious. This trend is supported by the findings from Chapter 8 which show increased use of hedging in the modern corpus compared to the historical corpus.

In general, the writers in the corpus adopted the impersonal voice associated with normative epistemologies in which the writer is expected to be objective (Bennett, 2007). This is certainly the style preferred by some PhD supervisors. For example, two of those surveyed believed that it is not appropriate to use the first person in academic writing and one described the ideal writing style as “*emotionally detached*” (SR7). However, my findings indicate that law may be following disciplines like sociology in taking an ‘affective turn’, or in other words, is taking an increased interest in subjectivity, evaluation and opinion (Benamara et al, 2017) and, if so, more writers may adopt a more personal and reflective writing style.

Overall, my findings point to the importance of understanding academic writing in an epistemological context. As noted in Chapter 6, EAP teachers can give students general advice on how to be effective writers. For example, keeping sentences short and avoiding repetition. However, as Lea and Street argue, “*in practice, what makes a piece of student writing ‘appropriate’ has more to do with issues of epistemology than with the surface features of form*” (1998, p.163). It is therefore helpful for EAP teachers to understand the epistemological variation possible both between and within disciplines, the epistemological outlook adopted by their students, and the way in which this makes different writing styles more or less appropriate.

The importance of epistemology is also highlighted in Chapter 7 which examines how writers interact with literature. This chapter found that thesis writers in the modern corpus have increased the average number of references in their theses from 77 to 443 and have also increased their average number of footnotes per 1,000 words from 3.9 to 12.6 in their introductions. Moreover, on average, writers in the modern corpus use a greater number of quotations, but are more sparing in their selections, preferring, on average, to use shorter quotations. All of this shows the pedagogic importance of ‘reading into writing’ and skills like summary, paraphrase and synthesis.

However, Chapter 7 also posits that the way in which writers interact with literature varies according to the epistemology and ideology of the discipline concerned (Hyland, 2001; Charles, 2006c). One example is the use of referencing. Here one of the dialogical changes has been a shift from explanatory footnotes (which seek to describe or give reasons) to probative footnotes (which afford proof or evidence). A similar shift was discussed earlier in terms of thesis topics, which have moved from a focus on 'what is' to a focus on 'what should be'. Overall, as Pajak (2018) argues, it is not sufficient for EAP teachers to understand referencing as a general skill. They need to understand how language, legal argumentation and epistemological outlook blend together. This highlights the need for EAP teachers to develop subject specialist knowledge (Sloan & Porter, 2010).

Finally, all of my findings underscore that genres are neither uniform nor unchanging. This was true when analysing the rhetorical structure of introductions in Chapter 5, when looking at writing style in Chapter 6 and when looking at the use of literature in Chapter 7. Understandably, EAP approaches to genre have a tendency to focus on similarities within a genre, and models that are "prototypical" rather than "atypical" (Swales, 2004) but, I argue that this can lead to EAP teachers and students overlooking the importance of individual variation. In EAP classrooms, I believe it would be beneficial to, Tardy puts it, "*shift our gaze from convention to variation and innovation*" (2016, p. 176). This means recognising the differences within genres as well as the commonalities.

8.4 Research limitations

My focus on legal theses sheds light on a discipline which has received limited attention from genre analysts researching thesis writing. However, there is variation within the field of law, even in one institution. The Law Department at LSE, for example, offers 14 specialisms, including taxation, criminology, corporate law, human rights law and information technology, media and communication law. Each specialism has its own aims, history and conventions. This means that subsuming them all under one umbrella is problematic and my findings must be seen in that light. As McGrath notes, "*there is a need to raise students' awareness of intra- as well as interdisciplinary variation in academic discourse*" (2016, p.1). Moreover, academic environments are not "*closed systems susceptible to taxonomic and rule-orientated description...[but] complex, constructed and unfolding events*" (Starfield, 2001, p. 146). As my results are often presented quantitatively, they may suggest an "*unproblematised notion of discourse community*" (Starfield, 2001, p. 142). I do, nonetheless, recognise that the legal discourse community is complex and far from homogenous.

By adopting an approach which blended move analysis, corpus analysis and ethnographic analysis, I benefitted from multiple perspectives, but had to make compromises. For example, I

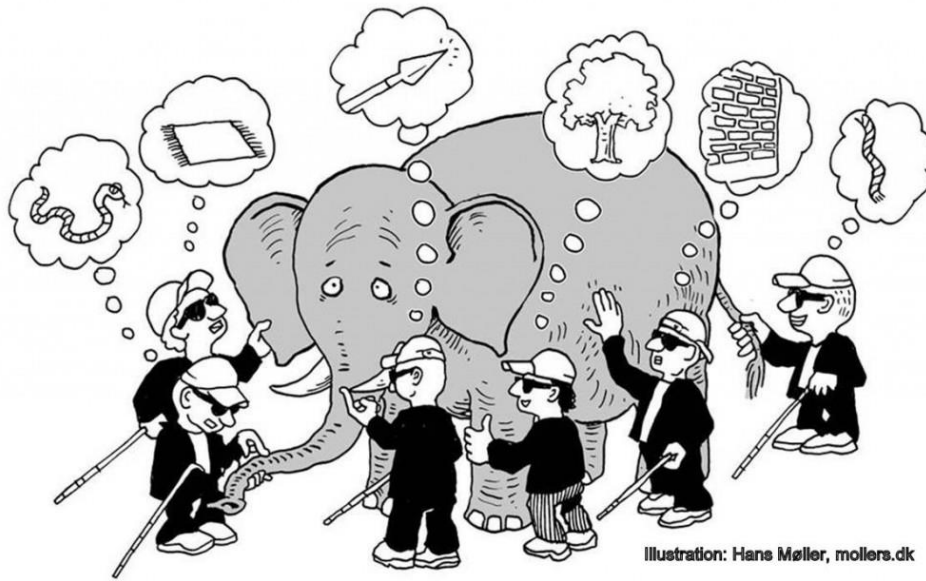
was not able to analyse the quantity of texts which corpus analysis alone would have allowed. Nor was I able to go into as much depth as a purely ethnographic approach would have made possible. If I were to do further research, I would use modern theses to create a far larger corpus than was possible for diachronic analysis and I would use this corpus to test some of the findings from Chapters 6 and 7 (for example, whether the reporting verbs I identified as most common in Section 7.5.2 are also most common in a larger sample). I would also be interested in a longitudinal study which followed PhD students from their first year of study until they submit their theses and then, hopefully, as they establish themselves as early career academics. This would be useful in understanding how best to support such students with their academic English.

As well as using multiple methods, I also investigated multiple aspects: rhetorical structure, writing style and use of literature. Doing this has given me a better understanding of these areas, which will be of benefit to me when teaching. However, it meant that I was not always able to go into as much depth as might have been desirable. For example, when discussing self-mention by writers (Section 6.6.1) I noted that the reasons writers use personal pronouns for self-representation varies. However, I did not categorise them as some researchers have. For instance, McGrath (2016) drawing on Starfield and Ravelli (2006) differentiated between “I as guide or architect”, “methodological I”, “I as opinion holder”, “I as originator or claim maker” and “reflexive I”. Similarly, while I consulted PhD students and supervisors, I did not interrogate them in as much detail as I would have if my focus had been more specific. For example, when Wharton (2012) analysed interpersonal stance markers, she interpreted the phrase “*We can see...*” as being reader inclusive but her informant suggested it was an example of inappropriate transfer of language from lecture (p.268). I did not gather this level of detail.

8.5 Final words

When discussing the merits of a multi-dimensional approach to genre analysis, Bhatia (2012) refers to the parable where six blind men encounter an elephant for the first time. Each man describes what an elephant is like after having touched a different part of the elephant’s body: a snake, a carpet, a spear, a tree, a wall, a rope, but none have the full picture. In the same way that an elephant is a large animal, academic writing is a large topic. The best way to understand it is to embrace multiple perspectives. In the case of EAP, this means using different analytical methods, considering the contexts around texts, and learning from other research traditions.

Figure 33: The Six Blind Men and an Elephant (Moller, 2015)



References

- Ackermann, K. and Chen, Y. H. (2013). Developing the Academic Collocation List (ACL)–A corpus-driven and expert-judged approach. *Journal of English for Academic Purposes*, 12 (4), 235-247.
- Adams, H. and Quintana-Toledo, E. (2013). Adverbial Stance Marking in the Introduction and Conclusion Sections of Legal Research Articles. *Revista de Linguística y Lenguas Aplicadas*, 8 (1), 13-21.
- Ädel, A., Garretson, G., Pérez-Llantada Auría, C., Plo-Alastrue, R. and Neumann, C. P. (2006). Citation practices across the disciplines: The case of proficient student writing. In *Academic and professional communication in the 21st century: Genres, rhetoric and the construction of disciplinary knowledge*. Proceedings of the 5th International AELFE Conference, 271-280.
- Allen, M. (2017). *The sage encyclopedia of communication research methods* (Vols. 1-4). Thousand Oaks, CA: SAGE Publications, Inc doi: 10.4135/9781483381411
- Allmark, P., Boote, J., Chambers, E., Clarke, A., McDonnell, A., Thompson, A., & Tod, A. M. (2009). Ethical issues in the use of in-depth interviews: literature review and discussion. *Research Ethics*, 5(2), 48-54.
- AMEP Research Centre. (2005). *Teaching Strategies - 1 Developing spoken skills: Planning for teaching*. Retrieved from http://www.ameprc.mq.edu.au/docs/fact_sheets/01Teachingstrategies.pdf
- American Psychological Association (APA). (2013). *Publication Manual of the American Psychological Association Sixth Edition*. Washington DC: American Psychological Association.
- Amnuai, W. and Wannaruk, A. (2013). Investigating Move Structure of English Applied Linguistics Research Article Discussions Published in International and Thai Journals. *English Language Teaching*, 6 (2), 1-13.
- Andrews, T. (2012). What is social constructionism? *Grounded Theory Review*, 11(1).
- Anthony, L. (2019). *AntConc* (Version 3.5.8) [Computer Software]. (W. University, Producer) Retrieved from <https://www.laurenceanthony.net/software>
- Askehave, I., & Swales, J. M. (2001). Genre identification and communicative purpose: A problem and a possible solution. *Applied linguistics*, 22(2), 195-212.
- Atai, M., and Falah, S. (2005). A contrastive genre analysis of result and discussion sections of applied linguistic research articles written by native and non-native English speakers with respect to evaluated entities and ascribed values. Retrieved from <http://paaljapan.org/resources/proceedings/PAAL10/pdfs/atai.pdf>

- Athanasidou, A., Hantzaroula, P., and Yannakopoulos, K. (2008). Towards a New Epistemology: The "Affective Turn". *Historein*, 8, 5-16.
- Atkinson, D. (1992). The evolution of medical research writing from 1735 to 1985: the case of the Edinburgh Medical Journal. *Applied Linguistics*, 13 (4), 337-374.
- Atkinson, D. (1996). The philosophical transactions of the Royal Society of London, 1675-1975: A sociohistorical discourse analysis. *Language in Society*, 25 (3), 333-371.
- Aull, L. L., & Swales, J. M. (2015). Genre analysis: Considering the initial reviews. *Journal of English for Academic Purposes*, 19, 6-9.
- Ayers, G. (2008). The evolutionary nature of genre: An investigation of the short texts accompanying research articles in the scientific journal *Nature*. *English for Specific Purposes*, 27(1), 22-41.
- Basthomi, Y. (2009). Contrastive Rhetoric, Discourse and Genre Analysis: Methodological Issues. *Bahasa dan Seni*, 35(2), 137-147.
- Bazerman, C. (1988). *Shaping written knowledge: The genre and activity of the experimental article in science*. Madison: University of Wisconsin Press.
- Becher, T. (2006). Academic tribes and territories: intellectual inquiry and the culture of disciplines. In K. Hyland, *English for Academic Purposes: an advanced resource book* (pp. 139-141). Routledge.
- Benamara, F., Taboada, M., and Mathieu, Y. (2017). Evaluative language beyond bags of words: Linguistic insights and computational applications. *Computational Linguistics*, 43(1), 201-264.
- Benesch, S. (2001). *Critical English for academic purposes: Theory, politics, and practice*. Routledge.
- Benesch, S. (2009). Theorizing and practicing critical English for academic purposes. *Journal of English for Academic Purposes*, 8 (2), 81-85.
- Bennett, K. (2007). Epistemicide! The tale of a predatory discourse. *The Translator*, 13 (2), 151-169.
- Bennett, K. (2009). English academic style manuals: A survey. *Journal of English for Academic Purposes*, 8(1), 43-54.
- Berkenkotter, C., and Huckin, T. (1993). *Rethinking Genre from a Sociocognitive Perspective*. *Written Communication* 10 (4), 475-509.
- Berkenkotter, C., and Huckin, T. N. (1995). *Genre knowledge in disciplinary communication: Cognition/culture/power*. Lawrence Erlbaum Associates, Inc.
- Berkenkotter, C., & Huckin, T. N. (2016). *Genre knowledge in disciplinary communication: Cognition/culture/power*. Routledge.
- Bhatia, V. (1993). *Analyzing genre: Language use in professional settings*. London: Longman.

- Bhatia, V. (1997). The power and politics of genre. *World Englishes*, 16 (3), 359-371.
- Bhatia, V. (2002). Applied genre analysis: a multi-perspective model. *Ibérica: Revista de la Asociación Europea de Lenguas para Fines Específicos (AELFE)*, (4), 3-19.
- Bhatia, V. (2004). *Worlds of written discourse: A genre-based view*. Bloomsbury Publishing.
- Bhatia, V. (2010). Interdiscursivity in professional communication. *Discourse and communication*, 4(1), 32-50.
- Bhatia, V. (2012). Critical reflections on genre analysis. *Ibérica*, (24), 17-28.
- Bhatia, V. (2014). *Analysing genre: Language use in professional settings*. Routledge.
- Bhatia, V. K. (2015). Critical genre analysis: theoretical preliminaries. *HERMES-Journal of Language and Communication in Business*, (54), 9-20.
- Biber, D., and Finegan, E. (1989). Drift and the evolution of English style: A history of three genres. *Language*, 487-517.
- Biber, D., Connor, U., and Upton, T. (2007). *Discourse on the move: Using corpus analysis to describe discourse structure* (Vol. 28). John Benjamins Publishing.
- Bolsmann, C., and Miller, H. (2008). International student recruitment to universities in England: Discourse rationales and globalisation. *Globalisation, Societies and Education*, 6 (1), 75-88.
- Bolton, B. (2012). Education: Historical Statistics Houses of Commons Library SN/SG/4252. Retrived from <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN04252>
- Borg, E. (2000). Citation practices in academic writing. *Patterns and perspectives: Insights into EAP writing practices*, 27-45.
- Bourdieu, P., and Passeron, J. C. (1994). Introduction : Language and the relationship to language in the teaching situation. In P. Bourdieu, *Academic Discourse* (pp.1-34). Cambridge: Polity Press.
- Brabazon, T. (2010). How not to write a PhD thesis. *Times Higher Education*, 28. Retrived from <https://www.timeshighereducation.com/news/how-not-to-write-a-phd-thesis/410208.article>
- Braun, V. & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative Research in Psychology*, 3, 77-101.
- British Educational Research Association (BERA) (2018) *Ethical guidelines for educational research*. 4th edn. Available at: <https://www.bera.ac.uk/researchers-resources/publications/ethical-guidelines-for-educational-research-2018> (Accessed: 30 April 2019).
- Breeze, R. (2012). *Rethinking academic writing pedagogy for the European university*. Rodophi.

- Brouwer, R. (2017). The Study of Law as an Academic Discipline. *Utrecht Law Review*, 13 (3), 41-48.
- Brown, A. (2014, April 16). Hiding in Plain Sight: The Problem of Authority for Academic Authors. Retrieved from Academic Coaching and Writing: <https://academiccoachingandwriting.org/academic-writing/academic-writing-blog/iii-hiding-in-plain-sight-the-problem-of-authority-for-academic-authors>
- Bruce, I. (2008). *Academic Writing and Genre: a systemic analysis*. Continuum International Publishing Group.
- Bryson, S. (2014). Avoid rhetorical questions. Scribbr. Retrieved from <https://www.scribbr.com/academic-writing/avoid-rhetorical-questions/>
- Bunton, D. (1998). Linguistic and textual problems in Ph.D and M.Phil theses : an analysis of genre moves and metatextesis. University of Hong Kong.
- Bunton, D. (2002). Generic moves in Ph. D. thesis introductions. In J. Flowerdew, *Academic Discourse* (pp.57-75). Routledge.
- Bunton, D. (2005). The structure of PhD conclusion chapters. *Journal of English for Academic Purposes*, 4 (3), 207-224.
- Cadman, K. (1997). Thesis writing for international students: a question of identity? *English for Specific Purposes*, 16 (1), 3-14.
- Calich, I. (2011). The impact of globalisation on the position of developing countries in the international tax system. PhD thesis. The London School of Economics and Political Science (LSE).
- Cameron, J., Nairn, K., & Higgins, J. (2009). Demystifying academic writing: Reflections on emotions, know-how and academic identity. *Journal of Geography in Higher Education*, 33(2), 269-284.
- Camfield, G. (2016). *LSE library: a history of the collections*. London, UK: London School of Economics and Political Science.
- Canagarajah, S. (2004). Multilingual writers and the struggle for voice in academic discourse. *Negotiation of identities in multilingual contexts*, 45, 266.
- Carpenter, S. (2019) LSE reckons with its student satisfaction problem The Beaver Accessed at <https://beaveronline.co.uk/lse-reckons-with-its-student-satisfaction-problem/>
- Carrió-Pastor, M. L. (2013). A contrastive study of the variation of sentence connectors in academic English. *Journal of English for Academic Purposes*, 12(3), 192-202.
- Chang, Y., and Swales, J. (1999). Informal elements in English academic writing: Threats or opportunities for advanced non-native speakers. *Writing: Texts, processes and practices*, 145-167.

- Charles, M. (2006a). Revealing and obscuring the writer's identity: evidence from a corpus of theses. In *British Studies in Applied Linguistics*, (21), 147-60.
- Charles, M. (2006b). The Construction of Stance in Reporting Clauses: a cross-disciplinary study of theses. *Applied Linguistics*, 27 (3), 492-518.
- Charles, M. (2006c). Phraseological patterns in reporting clauses used in citation: A corpus-based study of theses in two disciplines. *English for Specific Purposes*, 25(3), 310-331.
- Charles, M. (2007). Reconciling top-down and bottom-up approaches to graduate writing: Using a corpus to teach rhetorical functions. *Journal of English for Academic Purposes*, 6(4), 289-302.
- Chen, J. (1991). Something Old, Something New, Something Borrowed, Something Blue. *University Chicago Law Review*, 58, 1527.
- Chorley, R. (1937). Editorial Notes. *Modern Law Review*, 1-2.
- Chynoweth, P. (2008). Legal Research. In *Advanced Research in the Built Environment* (28-37). Blackwell Publishing Ltd.
- Clark, B. (2019). Relevance Theory and the Pragmatics of Writing. Keynote Lecture, Fiesole Symposium. Humboldt University .
- Clark, I. L., & Fischbach, R. (2008). Writing and learning in the health sciences: Rhetoric, identity, genre, and performance. *The WAC Journal*, 19, 15-28.
- Clough, P., & Nutbrown, C. (2012). *A student's guide to methodology*. Sage.
- Cohen, L., Manion, L., and Morrison, K. (2002). *Research methods in education*. Routledge.
- Collins, H., Leonard-Clarke, W., & O'Mahoney, H. (2019). 'Um, er': how meaning varies between speech and its typed transcript. *Qualitative Research*, 19(6), 653-668.
- Connors, R. (1998). The rhetoric of citation systems—Part I: The development of annotation structures from the renaissance to 1900. *Rhetoric Review*, 17(1), 6-48.
- Coombs, M. (1990). Review of the University of Chicago Manual of Legal Citation. 76 Va. L. Rev 1099, 1099-1111.
- Correia, M. (2010). Taxation of corporate groups under a corporation income tax: An interdisciplinary and comparative tax law analysis. PhD thesis. London School of Economics and Political Science (United Kingdom).
- Cotos, E. (2014). *Genre-based automated writing evaluation for L2 research writing: From design to evaluation and enhancement*. Basingstoke, UK: Palgrave Macmillan.
- Cotos, E., and Huffman, S. (2015). Furthering and applying move/step constructs: Technology-driven marshalling of Swalesian genre theory for EAP pedagogy. *Journal of English for Academic Purposes*, 19, 52-72.

- Cox, M. (2019, January 16). Red flag over Houghton Street? The radical tradition at LSE - myth, reality, fact. Retrieved from <https://blogs.lse.ac.uk/lsehistory/2019/01/16/red-flag-over-houghton-street-the-radical-tradition-at-lse-myth-reality-fact/>
- Coxhead, A. (2000). A new academic word list. *TESOL quarterly*, 34 (2), 213-238.
- Crookes, G. (1984). Towards a validated analysis of scientific text structure. *Applied Linguistics*, 7 (1), 57-70.
- Crotty, M. (1998). *The Foundations of Social Research: Meaning and Perspective in the Research Process*. SAGE.
- Curry, M. J. (2016). More than language: Graduate student writing as “disciplinary becoming”. *Supporting graduate student writers: Research, curriculum, & program design*, 78-96.
- Dagan, H. (2015). Law as an Academic Discipline. In H. Dedek, and S. Van Praagh, *Stateless Law: Evolving Boundaries of a Discipline* (pp. 43-60). Ashgate Publishing.
- Deller, R (2017) *Material Cultures of Research: Word Matters, Words Matter: On Fine-Tuning our Vocabularies of Academic Writing to become Better Writers* by Ninna Meier and Charlotte Wegener. Retrieved from <https://blogs.lse.ac.uk/lseviewofbooks/2017/12/15/materiality-of-research-word-matters-words-matter-on-fine-tuning-our-vocabularies-of-academic-writing-to-become-better-writers-by-ninna-meier-and-charlotte-wegener/>
- Devitt, A. J. (2004). A theory of genre. *Writing Genres*, 1-32.
- Devitt, A. (2015). Genre Performance: John Swales' Genre Analysis and rhetorical-linguistic genre studies. *Journal of English for Academic Purposes* 19, 44-51.
- Devitt, A. J., Reiff, M. J., & Bawarshi, A. S. (2004). *Scenes of writing: Strategies for composing with genres*. Pearson/Longman.
- Dias Soares, C. (2011). *The design features of environmental taxes*. MPhil thesis. The London School of Economics and Political Science.
- Dickerson, A. (1996). Un-Uniform System of Citation: Surviving with the New Bluebook. *An. Stetson L. Rev.*, 26, 53.
- Ding, A. (2019). EAP Practitioner Identity. *Specialised English: New Directions in ESP and EAP Research and Practice*, 5.
- Dressen-Hammouda, D. (2003). Contributions of an integrated genre theory of text and context to teaching LSP. *ASp. la revue du GERAS*, (39-40), 73-90.
- Dressen-Hammouda, D. (2008). From novice to disciplinary expert: Disciplinary identity and genre mastery. *English for Specific purposes*, 27(2), 233-252.
- Dressen-Hammouda, D. (2014). Measuring the voice of disciplinarity in scientific writing: a longitudinal study of experience writers in geology. *English for Specific Purposes* 34, 14-25.

- Dudley-Evans, T. (1986). Genre analysis: an investigation of the introduction and discussion sections of MSc dissertations. In M. Coulthard, *Talking about Text* (pp. 128-145). University of Birmingham.
- Dudley-Evans, T. (1997). Genre: how far can we, should we go? *World Englishes*, 16 (3), 351-358.
- Dudley-Evans, T. (2000). Genre analysis: a key to a theory of ESP? *Ibérica, Revista de la Asociación Europea de Lenguas para Fines Específicos*, (2), 3-11.
- Dunleavy, P. (2003). *Authoring a PhD: How to plan, draft, write and finish a doctoral thesis or dissertation*. Palgrave Macmillan.
- Elman, C., and Elman, M. (2001). *Negotiating International History and Politics*. In *Bridges and Boundaries* (1-36). Cambridge, MA: MIT Press.
- English, F. (2011). *Student writing and genre: Reconfiguring academic knowledge*. A&C Black.
- Estaji, M., & Vafaeimehr, R. (2015). A Comparative Analysis of Interactional Metadiscourse Markers in the Introduction and Conclusion Sections of Mechanical and Electrical Engineering Research Papers. *Iranian Journal of Language Teaching Research*, 3(1), 37-56.
- Ewer, J. R., and Latorre, G. (1969). *A course in basic scientific English* (Vol. 382). London: Longman.
- Fazackerley, A. (2019). It's cut-throat': Half of UK academics stressed and 40% thinking of leaving. *The Guardian*, 21.
- Feez, S. (2001). Curriculum Evolution in the Australian Adult Migrant English Program. In D. Hall and A. Hewings, *Innovation in English language teaching: a reader* (pp. 208-228.). New York: Routledge.
- Feldman, S. (2004). The Transformation of an Academic Discipline: Law Professors in the Past and Future (or Toy Story Too) . 54 *J. Legal Education*, 471-498.
- Ferguson, G., Pérez-Llantada, C., and Plo, R. (2011). English as an international language of scientific publication: A study of attitudes. *World Englishes*, 30 (1), 41-59.
- Fletcher, D. (2007). Social constructionist thinking: Some implications for entrepreneurship research and education. *Handbook of Research in Entrepreneurship Education*. Cheltenham, UK: Edward Elgar, 160-172.
- Flowerdew, J. (2016). English for Specific Academic Purposes (ESAP) Writing: Making the case. *Writing & Pedagogy*, 8(1).
- Flowerdew, J., and Wang, S. (2015). Identity in Academic Discourse. *Annual Review of Applied Linguistics*, 81-99.

- Flowerdew, L. (2004). The argument for using English specialized corpora to understand academic and professional language. *Discourse in the professions: Perspectives from corpus linguistics*, 11-33.
- Flowerdew, L. (2005). An integration of corpus-based and genre-based approaches to text analysis in EAP/ESP: countering criticisms against corpus-based methodologies. *English for Specific Purposes*, 24(3), 321-332.
- Flowerdew, L. (2014). Corpus-based analyses in EAP. In *Academic Discourse* (pp. 105-124). Routledge.
- Flowerdew, L. (2019). The Academic Literacies approach to scholarly writing: a view through the lens of the ESP/Genre approach. *Studies in Higher Education*, 1-13.
- Gadamer, H.-G. (1989). *Truth and method*. New York: Crossroad.
- Geng, Y., and Wharton, S. (2016). Evaluative language in discussion sections of doctoral theses: Similarities and differences between L1 Chinese and L1 English writers. *Journal of English for AcadContributor*:
- Gibbs, B. (2017) Structuration theory *Encyclopædia Britannica* Accessed at: <https://www.britannica.com/topic/structuration-theory>
- Gill, P., Stewart, K., Treasure, E., and Chadwick, B. (2008). Methods of data collection in qualitative research: interviews and focus groups. *British dental journal*, 204(6), 291.
- Gillaerts, P., and Van de Velde, F. (2010). Interactional metadiscourse in research article abstracts. *Journal of English for Academic purposes*, 9(2), 128-139.
- Gould, J. (2016). What's the point of the PhD thesis? *Nature News*, 535(7610), 26.
- Gower, L. (1950). English Legal Training: A Critical Survey. *The Modern Law Review*, 13 (2), 187-205.
- Guardian, (2016). UK considers plans to nearly halve international student visas. *The Guardian*. Retrived from <https://www.theguardian.com/education/2016/dec/12/uk-halve-international-student-visa-tougher-rules>
- Guba, E., and Lincoln, Y. (1994). Competing Paradigms in Qualitative Research. In N. Denzin, and Y. (. Lincoln, *Handbook of Qualitative Research* 1st Edition (pp. 105-117). Thousand Oaks (CA): Sage.
- Guinda, C. (2015). Genres on the move: currency and erosion of the genre moves construct. *Journal of English for Academic Purposes* 19, 73-87.
- Ha Le, P. (2009). Statagic, passionate, but academic. Am I allowed in my writing? *Journal of English for Academic Purposes* 8 (2), 134-146.n
- Halliday, M. (1975). *Learning How to Mean*. London: Edward Arnold .
- Halliday, M.A.K. (1999). The notion of Context in Language education. In *Text and Context in Functional Linguistics*. Philadelphia: John Benjamins Publishing Company.

- Harding, E. (2018) LSE gets the lowest mark for teaching among the UK's elite universities - lower than some former polytechnics Daily Mail Accessed at <https://www.dailymail.co.uk/news/article-5814675/LSE-gets-lowest-mark-teaching-UKs-elite-universities.html>
- Harwood, N. (2005). 'Nowhere has anyone attempted...In this article I aim to do just that' A corpus-based study of self-promotional I and we in academic writing across four disciplines. *Journal of Pragmatics*, 37 (8), 1207-1231.
- Harwood, N. (2009). An interview-based study of the functions of citations in academic writing across two disciplines. *Journal of Pragmatics*, 41 (3), 497-518.
- Harwood, N., and Hadley, G. (2004). Demystifying institutional practices: critical pragmatism and the teaching of academic writing. *English for Specific Purposes*, 23 (4), 355-377.
- Hathaway, J. (2015). Developing that voice: locating academic writing tuition in the mainstream of higher education. *Teaching in Higher Education*, 20(5), 506-517.
- Herbert, A. J. (1965). *The structure of technical English*. Addison-Wesley Longman Limited.
- HESA. (2019, January 17). Higher Education Student Statistics: UK, 2017/18 - Where students come from and go to study. Retrieved from Higher Education Student Statistics: <https://www.hesa.ac.uk/news/17-01-2019/sb252-higher-education-student-statistics/location>
- Hirano, E. (2009). Research article introductions in English for specific purposes: A comparison between Brazilian Portuguese and English. *English for specific purposes*, 28(4), 240-250.
- Hu, G., and Cao, F. (2011). Hedging and boosting in abstracts of applied linguistics articles: A comparative study of English-and Chinese-medium journals. *Journal of pragmatics*, 43(11), 2795-2809.
- Hutchinson, T., and Duncan, N. (2012). Defining and describing what we do: Doctrinal legal research. *Deakin Law Review*, 17, 83.
- Hyland, K. (1999). Academic attribution: Citation and the construction of disciplinary knowledge. *Applied linguistics*, 20(3), 341-367.
- Hyland, K. (2001). Humble servants of the discipline? Self-mention in research articles. *English for specific purposes*, 20 (3), 207-226.
- Hyland, K. (2002). Authority and invisibility: Authorial identity in academic writing. *Journal of Pragmatics*, 34(8), 1091-1112.
- Hyland, K. (2004). *Disciplinary discourses: Social interactions in academic writing*. USA: University of Michigan.
- Hyland, K. (2005). Stance and engagement: A model of interaction in academic discourse. *Discourse studies*, 7(2), 173-192. Retrieved from Hyland, K. (2005). *Stance and*

- engagement: A model of interaction in academic discourse. *Discourse studies*, 7(2), 173-192.
- Hyland, K. (2018). *The Essential Hyland: Studies in Applied Linguistics*. Bloomsbury.
- Hyland, K., and Jiang, F. (2016a). Change of attitude? A diachronic study of stance. *Written Communication*, 33 (3), 251-274.
- Hyland, K., and Jiang, F. K. (2016b). "We must conclude that...": A diachronic study of academic engagement. *Journal of English for Academic Purposes*, 24, 29-42.
- Hyland, K., and Jiang, F. (2017a). Points of reference: changing patterns of academic citation. *Applied Linguistics*, 40(1), 64-85.
- Hyland, K., and Jiang, F. K. (2017b). Is academic writing becoming more informal? *English for Specific Purposes*, 45, 40-51.
- Hyland, K., and Jiang, F. K. (2018). "In this paper we suggest": Changing patterns of disciplinary metadiscourse. *English for Specific Purposes*, 51, 18-30.
- Hyland, K., and Shaw, P. (2016). *The Routledge handbook of English for academic purposes*. Routledge.
- Hyon, S. (1996). Genre in three traditions: Implications for ESL. *TESOL quarterly*, 30 (4), 693-722.
- Jenkins, J. (1996). Native speaker, non-native speaker and English as a Foreign Language: time for a change. *IATEFL Newsletter*, 131, 10-11.
- Jenkins, J. (2007). *English as a lingua franca: Attitude and identity*. Oxford University Press.
- Jenkins, J. (2009). English as a lingua franca: Interpretations and attitudes. *World Englishes*, 28 (2), 200-207.
- Jenkins, J. (2014a). *Global Englishes: A resource book for students*. Routledge.
- Jenkins, J. (2014b). *English as a Lingua Franca in the International University: The Politics of Academic English Language Policy*. Routledge.
- Johns, A. M. (2008). Genre awareness for the novice academic student: An ongoing quest. *Language Teaching*, 41(2), 237.
- Johns, A., and Swales, J. (2002). Literacy and disciplinary practices: Opening and closing perspectives. *Journal of English for Academic Purposes*, 1(1), 13-28.
- Jordan, B. (1999). *Academic Writing Course: Study Skills in English 3rd Edition*. Pearson Education Ltd.
- Jordan, B. (2002). The growth of EAP in Britain. *Journal of English for Academic Purposes*, 1, 69-78.
- Kanler, B., and Thomson, P. (2008). The Failure of Dissertation Advice Books: Towards Alternative Pedagogies for Doctoral Writing. *Educational Researcher*, 37 (8), 507-514.

- Kaplan, R. B. (1966). Cultural thought patterns in intercultural education. *Language learning*, 16(1), 1-20.
- Kawase, T. (2018). Rhetorical structure of the introductions of applied linguistics PhD theses. *Journal of English for Academic Purposes*, 31, 18-27.
- Kaufhold, K., and McGrath, L. (2019). Revisiting the role of 'discipline' in writing for publication in two social sciences. *Journal of English for Academic Purposes*, 40. Retrieved from <http://doi.org/10.1016/j.jeap.2019.06.006>
- Kay, H., and Dudley-Evans, T. (1998). Genre: what teachers think. *ELT Journal*, 52 (4), 308-314.
- Kühne, S. (2018). From strangers to acquaintances? Interviewer continuity and socially desirable responses in panel surveys. In *Survey Research Methods* (Vol. 12, No. 2, pp. 121-146).
- Koester, A. (2010). Building small specialised corpora. In *The Routledge handbook of corpus linguistics* (pp. 94-107). Routledge.
- Krook, J. (2018). A History of Law Schools: A Battle between Law as a Science and Law as a Liberal Art. *New Intrigue*. Retrieved from <https://newintrigue.com/2018/02/21/a-history-of-law-schools-a-battle-between-law-as-a-science-and-law-as-a-liberal-art/>
- Krumpal, I. (2013). Determinants of social desirability bias in sensitive surveys: a literature review. *Quality & Quantity*, 47(4), 2025-2047.
- Kvale, S. (2008). *Doing interviews*. Sage.
- Kwan, B. S. (2006). The schematic structure of literature reviews in doctoral theses of applied linguistics. *English for Specific Purposes*, 25 (1), 30-55.
- Lauterpacht, H. (2011). *The function of law in the international community*. USA: Oxford University Press.
- Lea, M. R., and Street, B. V. (2006). The "academic literacies" model: Theory and applications. *Theory into practice*, 45 (4), 368-377.
- Lea, M. R., and Street, B. V. (2009). Student writing in higher education: An academic literacies approach. *Studies in Higher Education*, 23 (2), 134-146.
- Lea, M. R., and Street, B. (1998). Student writing in higher education: An academic literacies approach. *Studies in higher education*, 23(2), 157-172.
- Lewis, E. (1894). *The history of the English paragraph* (No. 2). AMS Press.
- Lewis-Beck, M., Bryman, A. E., and Liao, T. F. (2003). *The Sage encyclopedia of social science research methods*. Sage Publications.
- Lillis, T. (2008). Ethnography as method, methodology, and "Deep Theorizing" closing the gap between text and context in academic writing research. *Written communication*, 25(3), 353-388.

- Lillis, T., and Scott, M. (2007). Defining Academic Literacies Research. *Journal of Applied Linguistics*, 4 (1), 5-32.
- Lillis, T., and Tuck, J. (2016). A critical lens on writing and reading in the academy. In *The Routledge handbook of English for academic purposes* (pp. 30-43). Routledge.
- Lowe, M., and Wallace, K. (2011). HeinOnline and Law Review Citation Patterns. *Law Libr. J.*, 103, 55.
- LSE Calendar (1925). The London School of Economics and Political Science .
- LSE History: Telling the History of LSE. (nd) Retrieved from <https://blogs.lse.ac.uk/lsehistory/2017/06/20/cheerful-nonsense-with-brains-behind-it-devising-the-lse-coat-of-arms/>
- LSE Inclusive Education Plan (2019) Retrieved from <https://info.lse.ac.uk/staff/education/Inclusive-Education-Action-Plan>
- LSE Law Centenary Film. (2018). Retrieved from YouTube: <https://www.youtube.com/watch?v=MGhmpN0O-0g&feature=youtu.be>
- LSE Law Centenary. (2018). Retrieved from <http://www.lse.ac.uk/law/centenary>
- LSE Regulations for Research Degree. (2018). Retrieved from <https://info.lse.ac.uk/Staff/Divisions/Academic-Registrars-Division/Teaching-Quality-Assurance-and-Review-Office/Assets/Documents/Calendar/RegulationsForResearchDegrees.pdf>
- Luzón, M. (2009). The use of we in a learner corpus of reports written by EFL Engineering students. *Journal of English for Academic Purposes*, 8(3), 192-206.
- Mabe, M., and Amin, M. (2001). Growth dynamics of scholarly and scientific journals. *Scientometrics*, 51(1), 147-162.
- MacDonald, R. (2017), "'Impact", research and slaying Zombies: the pressures and possibilities of the REF", *International Journal of Sociology and Social Policy*, Vol. 37 No. 11-12, pp. 696-710. <https://doi.org/10.1108/IJSSP-04-2016-0047>
- Maclean, R. (2010). First year law students' construction of professional identity through writing. *Discourse studies* 12(2), 177-194.
- Magat, J. (2010). Bottomheavy: Legal Footnotes. *Journal of Legal Education*, 60(1), 65-105.
- Mair, J. (2003). The agitators. *The Guardian*. Retrieved from <https://www.theguardian.com/education/2003/jul/10/students.uk>
- Mansourizadeh, K., and Ahmad, U. (2011). Citation practices among non-native expert and novice scientific writers. *Journal of English for Academic Purposes*, 10(3), 152-161.
- Maringe, F., and Jenkins, J. (2015). Stigma, tensions, and apprehension: The academic writing experience of international students. *International Journal of Educational Management*, 29(5), 609-626.

- Martin, J. (1992). *English text: System and structure*. Philadelphia: John Benjamins.
- Martin, J. (2009). Genre and language learning: a social semiotic perspective. *Linguistics and Education*, 20 (1), 10-21.
- Martín, P. (2008). The mitigation of scientific claims in research papers: A comparative study. *International Journal of English Studies*, 8(2), 133-152.
- Martin, P. (2017). *Introduction to Basic Legal Citation*. Cornell University Law School: Legal Information Institute. Retrieved from <https://www.law.cornell.edu/citation/1-100>
- Mauranen, A., Hynninen, N., and Ranta, E. (2010). English as an academic lingua franca: The ELFA project. *English for Specific Purposes*, 29(3), 183-190.
- McCarthy, M., & O'dell, F. (2008). *Academic vocabulary in use: 50 units of academic vocabulary reference and practice; self-study and classroom use*. Cambridge University Press
- McCulloch, S. (2012). Citations in search of a purpose: Source use and authorial voice in L2 student writing. *International Journal for Educational Integrity*, 8(1), 55-69.
- McGrath, L. (2015). *Writing for publication in four disciplines: Insights into text and context* (Doctoral dissertation, Department of English, Stockholm University).
- McGrath, L. (2016). Self-mentions in anthropology and history research articles: Variation between and within disciplines. *Journal of English for Academic Purposes*, 21, 86-98. Retrieved from <http://doi.org/10.1016/j.jeap.2015.11.004>
- McGrath, L., and Kaufhold, K. (2016). English for Specific Purposes and Academic Literacies: Eclecticism in academic writing pedagogy. *Teaching in Higher Education*, 21 (8), 933-947. Retrieved from <http://doi.org/10.1080/13562517.2016.1198762>
- MELB. (n.d.). Using tenses in scientific writing. www.services.unimelb.edu.au/academicskills. Retrieved from https://services.unimelb.edu.au/_data/assets/pdf_file/0009/471294/Using_tenses_in_scientific_writing_Update_051112.pdf
- Meredith, S. (2011). *Oscola, a UK standard for legal citation*. *Legal Information Management*, 11(2), 111-114.
- Miller, C. R. (1984). Genre as social action. *Quarterly journal of speech*, 151-167.
- Moran, J. (2018, October 4). *Times Higher Education*. An academic's guide to writing well: Retrieved from <https://www.timeshighereducation.com/features/academics-guide-writing-well>
- Moreno, A., and Swales, J. (2018). Strengthening move analysis methodology towards bridging the function-form gap. *English for Specific Purposes*, (50) 40-63.
- Morley-Warner, T. (2000). *Academic writing is... A guide to writing in a university context*. Sydney: Centre for Research and Education in the Arts.

- Müller, S. (2005). *Discourse markers in native and non-native English discourse*. John Benjamins Publishers.
- Murphey, P (2011) *The barriers facing international students in the UK and how we can adapt* Knowledge Hub. Retrieved from: <https://www.advance-he.ac.uk/knowledge-hub/barriers-facing-international-students-uk-and-how-we-can-adapt>
- Nascimento, L. D. S., & Steinbruch, F. K. (2019). "The interviews were transcribed", but how? Reflections on management research. *RAUSP Management Journal*, 54(4), 413-429.
- Negretti, R., & McGrath, L. (2018). Scaffolding genre knowledge and metacognition: Insights from an L2 doctoral research writing course. *Journal of Second Language Writing*, 40, 12-31.
- Nelson, A. (2017, December 20). *Cultural Differences in Plagiarism*. Turnitin. Retrieved from <https://www.turnitin.com/blog/cultural-differences-in-plagiarism>
- Nesi, H. (2016). Corpus studies in EAP. In *The Routledge handbook of English for academic purposes* (pp. 230-241). Routledge.
- Nesi, H., and Gardner, S. (2012). *Genres across the disciplines: Student writing in higher education*. Cambridge University Press.
- Neumann, F. (2009). *Behemoth: the structure and practice of national socialism, 1933-1944*. Rowman and Littlefield.
- Oghenevo Ovie Akpomemie, M. (2017). *The social context of business and the tax system in Nigeria: the persistence of corruption*. PhD thesis. London School of Economics and Political Science (United Kingdom).
- Ollé, C., and Borrego, Á. (2010). A qualitative study of the impact of electronic journals on scholarly information behavior. *Library and Information Science Research*, 32(3), 221-228.
- Ono, M. (2017). Move-step Structures of Literature Ph. D. Theses in the Japanese and UK Higher Education. *Journal of Writing Research*, 8(3), 469-491.
- Orford, A. (2014). Scientific reason and the discipline of international law. *European Journal of International Law*, 25(2), 369-385.
- Oscola. (2002). *Oxford University Standard for the Citation of Legal Authorities*. Oxford: University of Oxford.
- Owtram, N. (2010). *The pragmatics of academic writing: a relevance approach to the analysis of research article introductions*. Peter Lang.
- Pajak, C. (2018). Language for Law: A Beginner's Mind. *The Language Scholar*, 33.
- Paltridge, B. (1994). Genre analysis and the identification of textual boundaries. *Applied Linguistics*, 15 (3), 288-299.
- Paltridge, B (2001) *Genre and the Language Learning Classroom USA*: Michigan Press

- Paltridge, B. (2002). Thesis and dissertation writing: an examination of published advice and actual practice. *English for Specific Purposes*, 21(2), 125-143.
- Paltridge, B., & Starfield, S. (2007). *Thesis and dissertation writing in a second language: A handbook for supervisors*. Routledge.
- Paré, A. (2019). Re-writing the doctorate: New contexts, identities, and genres. *Journal of Second Language Writing*, 43, 80-84.
- Park, C. (2005). New variant PhD: The changing nature of the doctorate in the UK. *Journal of Higher Education Policy and Management*, 27(2), 189-207.
- Patterson, A. (2016, February 3). *Writers Write Blog*. Choices that affect a writer's style. Retrieved from <https://writerswrite.co.za/what-is-your-literary-style/>
- Paulsen, J. (1992). An Uninformed System of Citation. *Harvard Law Review*, 1780-1794.
- Peng, J. (2019). Authorial voice constructed in citation in literature reviews of doctoral theses: Variations across training contexts. *Journal of English for Academic Purposes*, 37, 11-21.
- Pennycook, A. (1997). Vulgar pragmatism, critical pragmatism and EAP. *English for Specific Purposes* 15, 85-103.
- Petrić, B. (2007). Rhetorical functions of citations in high-and low-rated master's theses. *Journal of English for Academic Purposes*, 6(3), 238-253.
- Petrić, B. (2012). Legitimate textual borrowing: Direct quotation in L2 student writing. *Journal of Second Language Writing*, 21(2), 102-117.
- Phillion, J. (2002). Becoming a narrative enquirer in a multicultural landscape . *Curriculum Studies*, 34 (5), 535-556.
- Pinker, S. (2014). Why academics stink at writing. *The chronicle of higher education*, 26.
- Proofread Law. (2015). Using reporting verbs. Retrieved from https://www.proofreadlaw.co.uk/pdf/Reporting_Verbs_2.pdf
- Rodell, F. (1936). Goodbye to law reviews. *Vancouver Law Review*, 23, 38.
- Rubin, E. (1988). The Practice and Discourse of Legal Scholarship. *Michigan Law Review* 86 (8), 1835-1905.
- Rubin, E. (1997). Law and the methodology of law. *Wisconsin Law Review*, 521-565.
- Rubin, E. (2001). Social movements and law reform. *University of Pennsylvania Law Review*, 1-84.
- Rundle, K. (2010). *Modern Law Review*, 73, 494.
- Russell Group. (2017). The value of international students at Russesll Group universities. Retrived from <https://www.russellgroup.ac.uk/media/5521/rg-international-students-june-2017.pdf>

- Russell, D. R., Lea, M. P., Street, B., and Donahue, T. (2009). Exploring notions of genre in "academic literacies" and "writing across the curriculum": Approaches across countries and contexts. 395-423.
- Salom, L., Monreal, C., and Olivares, M. (2008). The move-step structure of the introductory sections of Spanish PhD theses. *Revista española de lingüística aplicada*, (21), 85-106.
- Saldaña, J. (2015). *The coding manual for qualitative researchers*. Sage.
- Samraj, B. (2002). Introductions in research articles: Variations across disciplines. *English for specific purposes*, 21(1), 1-17.
- Samraj, B. (2013). Form and function of citations in discussion sections of master's theses and research articles. *Journal of English for Academic Purposes* 12, 299-310.
- Sands, P. (2010, November 10). My legal hero: Hersch Lauterpacht | Law | The Guardian. The Guardian. Retrieved from <https://www.theguardian.com/law/2010/nov/10/my-legal-hero-hersch-lauterpacht>
- Santos, T. (2001). The place of politics in second language writing. *On second language writing*, 173-190.
- Seargeant, P. (2012). Disciplinarity and the study of world Englishes. *World Englishes*, 31(1), 113-129.
- Shafik, M. (2019). The Strategy for LSE 2030. LSE Town Hall Meeting.
- Shapiro, F., and Krishnaswami, J. (2015). The Secret History of the Bluebook. *The Secret History of the Bluebook*. Minn. L. Rev., 100, 1563.
- Shaw, P. (1991). Science research students' composing processes. *English for Specific Purposes*, 10 (3), 189-206.
- Shaw, P. (1992). Reasons for the correlation of voice, tense and sentence function in reporting verbs. *Applied Linguistics*, 13 (3), 302-319.
- Shaw, P. (2016). Genre analysis. In *The Routledge handbook of English for academic purposes* (267-279). Routledge.
- Silver, M. (2003). The stance of stance: a critical look at ways stance is expressed and modeled in academic discourse. *Journal of English for Academic Purposes* 2, 359-374.
- Simpson, R. (1983). *How the PhD Came to Britain. A Century of Struggle for Postgraduate Education*. SRHE Monograph 54. . Society for Research into Higher Education, University of Surrey.
- Simpson-Vlach, R., and Ellis, N. C. (2010). Simpson-Vlach, R., and Ellis, N. C. (2010). An academic formulas list: New methods in phraseology research. *Applied Linguistics*, 31 (4), 487-512.
- Sinclair, J. (2004). *Trust the text: Language, corpus and discourse*. Routledge.

- Sloan, D. and Porter, E. (2010) Changing international student and business staff perceptions of in-sessional EAP: using the CEM model *Journal of English for Academic Purposes* 9 (3), 198-210.
- Soler-Monreal, C., Carbonell-Olivares, M., and Gil-Salom, L. (2011). A contrastive study of the rhetorical organisation of English and Spanish PhD thesis introductions. *English for Specific Purposes*, 30 (1), 4-17.
- Solum, L. (2003, 12 28). Legal Theory Lexicon 016: Positive and Normative Legal Theory Introduction. Retrieved from Legal Theory Blog:
<http://legaltheorylexicon.blogspot.com/2003/12/legal-theory-lexicon-016-positive-and.html>
- Southern Cross University (2019) Tips for Effective Legal Writing Retrieved from
<https://online.scu.edu.au/blog/tips-effective-legal-writing/>
- Stahn, C., and De Brabandere, E. (2014). The Future of International Legal Scholarship: Some Thoughts on 'Practice', 'Growth', and 'Dissemination'. *Leiden Journal of International Law*, 27(1), 1-10.
- Starfield, S. (2001). I'll go with the group': Rethinking 'discourse community' in EAP. *Research perspectives on English for academic purposes*, 132-147.
- Steer, C. (2014, August 20). The key to a successful PhD thesis? Write in your own voice. *The Guardian*. Retrieved from <https://www.theguardian.com/higher-education-network/blog/2014/aug/20/write-in-your-own-voice-key-to-successful-phd-thesis#comments>
- Storch, N., Morton, J., and Thompson, C. (2016). *EAP pedagogy in undergraduate contexts*. Routledge.
- Straw, S. B., & Sadowy, P. (1990). Dynamics of communication: Transmission, translation, and interaction in reading comprehension. *Beyond communication: Reading comprehension and criticism*, 21-48.
- Swales, J. (1981). *Aspects of article introductions*. Birmingham: University of Aston, Language Studies Unit.
- Swales, J. (1990). *Genre analysis: English in academic and research settings*. Cambridge University Press.
- Swales, J. (1993). Genre and engagement. *Revue belge de philologie et d'histoire* 71 687-698.
- Swales, J. (2002). Integrated and fragmented worlds: EAP materials and corpus linguistics. *Academic Discourse*, 150-164.
- Swales, J. (2002b). On models in applied discourse analysis. Research and practice in professional discourse, 61. In C. C. (Ed.), *Research and practice in professional discourse* (61-77). Hong Kong: City University of Hong Kong Press.

- Swales, J. (2004). *Research Genres: explorations and applications*. Cambridge: Cambridge University Press.
- Swales, J. (2009). Worlds of Genre—Metaphors of Genre. In C. e. Bazerman, *Genre in a Changing World* (pp. 3-17). Parlor Press.
- Swales, J. M. (2012). A text and its commentaries: Toward a reception history of "Genre in three traditions" (Hyon, 1996). *Ibérica: Revista de la Asociación Europea de Lenguas para Fines Específicos (AELFE)*, (24), 103-115.
- Swales, J. (2016). Reflections on the concept of discourse community. *ASp. la revue du GERAS*, (69), 7-19.
- Swales, J. (2018). *Other floors, other voices: A textography of a small university building*. University of Michigan Press.
- Swales, J. (2019). The future of EAP genre studies: a personal viewpoint. *Journal of English for Academic Purposes*, 38, 75-82.
- Swales, J., and Chang, Y. (1999). Informal elements in English academic writing: Threats or opportunities for advanced non-native speakers. In *Writing: Texts, Processes and Practices* (pp. 145-167). Longman.
- Swales, J., M, and Feak, C. B. (1994). *Academic writing for graduate students: Essential tasks and skills. A course for nonnative speakers of English*. University of Michigan Press.
- Sword, H. (2009). Writing higher education differently: A manifesto on style. *Studies in Higher Education*, 34(3), 319-336.
- Sword, H. (2012). *Stylish academic writing*. Harvard University Press.
- Tardy, C., and Swales, J. (2014). Genre analysis. In *Pragmatics of discourse* (pp. 165-187).
- Terry, G., Hayfield, N., Clarke, V., & Braun, V. (2017). Thematic analysis. *The Sage handbook of qualitative research in psychology*, 17-37.
- Thompson, P. (1999). Exploring the contexts of writing: interviews with PhD supervisors. *Issues in EAP writing research and instruction*, 37-54
- Thompson, P. (2001). *A pedagogically-motivated corpus-based examination of PhD theses: Macrostructure, citation practices and uses of modal verbs*. Doctoral dissertation. University of Reading.
- Thompson, P. (2005). Points of focus and position: intertextual reference in PhD theses. *Journal of English for Academic Purposes*, 4 (4), 307-323.
- Thompson, P. (2012). Achieving a voice of authority in PhD theses. In *Stance and voice in academic genres* (pp. 119-133). London: Palgrave Macmillan.
- Thompson, P. (2016). Genre Approaches to Theses and Dissertations. In K. Hyland, and P. Shaw, *The Routledge Handbook of English for Academic Purposes* (pp. 379-391). Routledge.

- Thompson, P. (n.d.). Examining PhD theses in a corpus. University of Reading. Retrieved from <http://www.reading.ac.uk/internal/appling/citation.htm>
- Tierney, R. J., & LaZansky, J. (1980). The rights and responsibilities of readers and writers: A contractual agreement. *Language Arts*, 57(6), 606-613.
- Trappes-Lomax, H. (2004). Discourse Analysis. *The Handbook of Applied Linguistics*, 133-163.
- Trowler, P. (2011). Researching your own institution: Higher education. British Educational Research Association online resource.
- Trowler, P. (2014a). Depicting and researching disciplines: Strong and moderate essentialist approaches. *Studies in Higher Education*, 39(10), 1720-1731.
- Trowler, P. (2014b). Depicting and researching disciplines: Strong and moderate essentialist approaches. *Studies in Higher Education*, 39(10), 1720-1731.
- Uçak, N. Ö., and Al, U. (2009). The differences among disciplines in scholarly communication. A bibliometric analysis of theses. *Libri*, 59(3), 166-179.
- Underwood, A. (2017, September 21). What is the best way to develop a writing style? Grammarly Blog. Retrieved from <https://www.grammarly.com/blog/writing-style/>
- Universities UK. (2017, March 6). International students now worth £25 billion to UK economy - new research Universities UK. Retrieved from <https://www.universitiesuk.ac.uk/news/Pages/International-students-now-worth-25-billion-to-UK-economy---new-research.aspx>
- Unknown Photographer (1930) Hill Farm National Portrait Gallery, London
- Upton, T., and Cohen, M. (2009). An approach to corpus-based discourse analysis: The move analysis as example. *Discourse Studies*, 11(5), 585-605.
- Vassileva, I. (1998). Who am I/who are we in academic writing? A contrastive analysis of authorial presence in English, German, French, Russian and Bulgarian. *International Journal of Applied Linguistics*, 8(2), 163-185.
- Vessey, D. (2009). Gadamer and the Fusion of Horizons. *International Journal of Philosophical Studies*, 17(4), 531-542.
- Vicente, R. R. (2008). EAP, Business English and Swales' approach to genre analysis. *Revista de filología inglesa*, 153-165.
- Villanueva, V. (2001). The politics of literacy across the curriculum. In S. e. McLeod, WAC for the new millennium: Strategies for continuing writing-across-the-curriculum programs (pp. 165-178). Illinois: National Council of Teachers of English.
- Webb, B. (1894). Diary entry by Beatrice Webb. LSE Digital Diary. Retrieved from <https://digital.library.lse.ac.uk/objects/lse:wip502kaf>
- Weisser, M (2016) Concordancers Retrived from http://martinweisser.org/corpora_site/concordancers.html

- Wikipedia. (n.d.). Martyn Finlay. Wikipedia Retrieved from
https://en.wikipedia.org/wiki/Martyn_Finlay
- Wilson, G. (1987). English Legal Scholarship. *Modern Law Review*, (50), 818-854.
- Wingate, U. (2006). Doing away with 'study skills'. *Teaching in Higher Education*, 11 (4), 457-469.
- Wingate, U. (2012). 'Argument' helping students understand what essay writing is about. *Journal of English for Academic Purposes*, 11 (2), 145-154.
- Wingate, U. (2015). Academic Literacy and Student Diversity. *Multilingual Matters*.
- Wingate, U. 2018. "Academic Literacy across the Curriculum: Towards a Collaborative Instructional Approach." *Language Teaching* 51: 349–64
- Wingate, U., and Tribble, C. (2012). The best of both worlds? Towards an English for Academic Purposes/Academic Literacies writing pedagogy. *Studies in Higher Education*, 37 (4), 481-495.
- Wu, G., and Zhu, Y. (2014). Self-mention and authorial identity construction in English and Chinese research articles: A contrastive study. *Linguistics and the Human Sciences*, 10(2), 1743-2906.
- Young, R & Collin, A. (2004). Introduction: constructivism and social constructionism in the career field. *Journal of Vocational Behaviour* 64(3), 373-388.

Appendix One: Theses in the Historical Corpus 1925-1938

1. Bulmer, D (1925) The history of the Bosphorus and the Dardanelles, with special reference to treaty relations : a study in international law and diplomacy London School of Economics and Political Science. Ph.D. (London) thesis Available at LSE Library Theses X21,160
2. Dehkan, A (1938) Questions of international law in Anglo-Iranian diplomatic relations London School of Economics and Political Science. Ph.D. (London) thesis Available at LSE Library Theses X21,413
3. Fahmy, M (1928) The legal principles governing the international status of Egypt. London School of Economics and Political Science. Ph.D. Available at LSE Library Theses X20,688
4. Finlay, A (1938) The influence of equitable ideas concerning property in the development of the law of contract, as illustrated by (1) the passing of property under invalid contracts, (2) contracts for the benefit of third persons London School of Economics and Political Science. Ph.D. (London) thesis Available at LSE Library Theses X21,316
5. Lauterpacht, Hersch (1926) Private law analogies in international law. PhD thesis, The London School of Economics and Political Science (LSE). Available at <http://etheses.lse.ac.uk/view/creators/Lauterpacht=3AHersch=3A=3A.html>
6. McCown, D (1938) Municipal tribunals and international law: the development of international law by English and French courts in the nineteenth century Dorothy Beatrice. London School of Economics and Political Science. Ph.D. (London) thesis Available at LSE Library Theses X21,535
7. Neumann, Franz (1936) The governance of the rule of law: an investigation into the relationship between the political theories, the legal system, and the social background in competitive society. PhD thesis, The London School of Economics and Political Science (LSE). Available at: <http://etheses.lse.ac.uk/view/creators/Neumann=3AFranz=3A=3A.html>
8. Smith, B (1927) Some existing anomalies in British income tax law affecting resident foreigners and non-resident British subjects London School of Economics and Political Science. Ph.D. (London) thesis Available at LSE Library Theses X21,159
9. Spaulding, H (1926) A comparative and critical study of the income tax laws of Great Britain and the United States London School of Economics and Political Science. Ph.D. (London) thesis Available at LSE Library Theses X20,600
10. Watson, J (1927) British extraterritorial jurisdiction London School of Economics and Political Science. Ph.D. (London) thesis Available at LSE Library Theses X21,163

Appendix Two: Theses in the Modern Corpus: 2014-2015

1. Agnew, Sinéad (2015) What we talk about when we talk about conscience: the meaning and function of conscience in commercial law doctrine. PhD thesis, London School of Economics and Political Science (LSE).
2. Chadwick, Anna (2015) Food commodity speculation, hunger, and the global food crisis: whither regulation. PhD thesis, The London School of Economics and Political Science (LSE).
3. Pearson, Megan Rebecca (2014) Religious objections to equality laws: reconciling religious freedom with gay rights. PhD thesis, The London School of Economics and Political Science (LSE).
4. King, Saskia (2015) Agreements that restrict competition by object under Article 101(1) TFEU: past, present and future. PhD thesis, The London School of Economics and Political Science (LSE).
5. Saab, Anne (2015) A legal inquiry into hunger and climate change: climate-ready seeds in the neoliberal food regime. PhD thesis, The London School of Economics and Political Science (LSE).
6. Searl, Mark (2014) A normative theory of international law based on new natural law theory. PhD thesis, The London School of Economics and Political Science (LSE).
7. Willcox, Susannah (2015) Climate change inundation and Atoll Island States: implications for human rights, self-determination and statehood. PhD thesis, The London School of Economics and Political Science (LSE).
8. Yoshida, Keina (2015) The cinematic jurisprudence of gender crimes: the ICTY and film. PhD thesis, London School of Economics and Political Science (LSE).
9. Zaccaria, Elena (2015) Proprietary rights in indirectly held securities: legal risks and future challenges. PhD thesis, The London School of Economics and Political Science (LSE).
10. Zhang, Zhanwei (2015) Law, state and society in the PRC: a case study of family planning regulations implementation at grassroots level in rural China. PhD thesis, The London School of Economics and Political Science (LSE).

Appendix Three: Move-Step Analysis of the Historical Theses

This table shows the moves and steps that were identified in the historical corpus.

Text	Move-Step Sequences
1	<p>Moves and steps</p> <p>M1 (2), M1 (1), M2 (3a), M VAR (15) [M1 (1)], M3 (6), M3 (11), M2 (3c) [M2 (3a)], M2 (3c), M3 (13), M2 (3d), M3 (6), M3 (4)</p> <p>Moves without steps and where move variable steps have been assigned a move</p> <p>M1, M1, M2, M1 [M1], M3, M3, M2 [M2], M2, M3, M2, M3, M3</p> <p>Moves without repeated steps</p> <p>M1, M2, M1, M3, M2, M3, M2, M3</p>
2	<p>Moves and steps</p> <p>M1 (2), M1 (1), M3 (6), M2 (3c), M1 (1), M3 (6), M3 (13), M3 (4)</p> <p>Moves without steps and where move variable steps have been assigned a move</p> <p>M1, M1, M3, M2, M1, M3, M3, M3</p> <p>Moves without repeated steps</p> <p>M1, M3, M2, M1, M3</p>
3	<p>Moves and steps</p> <p>M2 (3a), M3 (14), M3 (6), M1 (1) [M3 (7)], M2 (3d), M3 (5), M1 (2), M1 (1), M2 (3c), M2 (3b), M3 (7), M3 (10), M3 (9), M3 (10), M3 (9), M3 (10)</p> <p>Moves without steps and where move variable steps have been assigned a move</p> <p>M2, M3, M3, M1 [M3], M2, M3, M1, M1, M2, M2, M3, M3, M3, M3, M3, M3</p> <p>Moves without repeated steps</p> <p>M2, M3, M1 [M3], M2, M3, M1, M2, M3</p>
4	<p>Moves and steps</p> <p>M1 (1) [M VAR (15)], M1 (1) [M VAR (17)], M2 (3c), MVAR (15), M3 (4), M VAR (15) [M VAR (17)]</p> <p>Moves without steps and where move variable steps have been assigned a move</p> <p>M1 [M1], M1 [M1], M2, M2, M3, M3 [M3]</p> <p>Moves without repeated steps</p> <p>M1, M2, M3</p>

5	<p>Moves and steps M1 (1), M2 (3a), M1 (1) [M1 (2)], M VAR (15), M VAR (15) [M1 (1)], M2 (3a), M VAR (15), M2 (3a), M3 (6), M2 (3c), M1 (1), M VAR (17)</p> <p>Moves without steps and where move variable steps have been assigned a move M1, M2, M1 [M1], M1, M1 [M1], M2, M2, M2, M3, M2, M1, M1</p> <p>Moves without repeated steps M1, M2, M1, M2, M3, M2, M1</p>
6	<p>Moves and steps M3(4), M1(1), M1(2), M3(4), M3(13), M2(3d), M2(3c), M3(13), M3(14), M3(9) [M3(13)]</p> <p>Moves without steps and where move variable steps have been assigned a move M3, M1, M1, M3, M3, M2, M2, M3, M3, M3 [M3</p> <p>Moves without repeated steps M3, M1, M3, M2, M3</p>
7	<p>Moves and steps M3 (4), M3 (12) M VAR (15), M1 (1), M2 (3a), M3 (4), M3 (8)//M3 (4), M3 (8), M VAR (16), M2 (3a), M3 (13), M3 (6), M2 (3d), M3 (8), M3 (6), M3 (12)</p> <p>Moves without steps and where move variable steps have been assigned a move M3, M3, M3, M1, M2, M3, M3, M3, M3, M3, M2, M3, M3, M2, M3, M3, M3</p> <p>Moves without repeated steps or section breaks M3, M1, M2, M3, M2, M3, M2, M3</p>
8	<p>Moves and steps M1 (1), M1 (2), M3 (10), M2 (3c), M2 (3d), M VAR (17)</p> <p>Moves without steps and where move variable steps have been assigned a move M1, M1, M3, M2, M2, M2</p> <p>Moves without repeated steps M1, M3, M2</p>

9	<p>Moves and steps M1(1), M3(4), M3(8), M3(13), M3(4), M3(13), M1(1), M3(8)</p> <p>Moves without steps and where move variable steps have been assigned a move M1, M3, M3, M3, M3, M3, M1, M3</p> <p>Moves without repeated steps M1, M3, M1, M3</p>
10	<p>Moves and steps M1 (1), M2 (3d), M3 (4), M3 (6), M1 (1), M VAR (15) [M VAR (17)], M2 (3a), M3 (13), M1 (1), M2 (3a), M3 (4), M3 (12), M3 (13), M3 (6)</p> <p>Moves without steps and where move variable steps have been assigned a move M1, M2, M3, M3, M1, M2, M2, M3, M1, M2, M3, M3, M3, M3</p> <p>Moves without repeated steps M1, M2, M3, M1, M2, M3, M1, M2, M3</p>

Appendix Four: Samples of Move-Step Analysis from the Historical Theses

This appendix shows how three of the theses in the historical corpus were analysed for moves and steps. Sometimes, moves and steps are clear but, often, they are open to interpretation as the column on the right explains. The introductions in the historical corpus are generally shorter than those in the modern corpus. Thus the samples below are of full introductions from three of the ten theses.

A: Thesis Four

M1 (1) [M VAR (15), M1 (1) [M VAR (17)], M2 (3c), MVAR (15), M3 (4), M VAR (15) [M VAR (17)]

Extract	Step	Move	Comment
<p>It is generally agreed that the modern conception of a state connotes at least two main attributes.</p> <ol style="list-style-type: none"> 1. A more or less clearly defined extent of territory. 2. Complete sovereignty within that territory. 	<p>1 Topic / Context</p> <p>[15 Definition]</p>	<p>1</p> <p>[VAR]</p>	<p>This thesis was about British extraterritorial jurisdiction so the opening sentence helps to establish the topic. It also provides a definition. Given the placement of the sentence, I decided that the dominant step was establishing the topic, rather than providing a definition.</p>
<p>There is, moreover, equally general agreement that this principle of territorial sovereignty is of comparatively modern growth. To the ancients, race or nationality, alleged descent from a common ancestor, with the identity of religious worship were the all-important facts, determining allegiance to the common sovereign, securing obedience to the tribal law and ensuring protection against aggression from without.</p>	<p>1 Topic</p> <p>[17 Literature]</p>	<p>1</p> <p>[VAR]</p>	<p>These five paragraphs provide more topic context.</p> <p>This includes historical context with a broad discussion of how the principle of territorial sovereignty has evolved since “the ancients” via the feudal system in England, colonial rivalry and the Treaty of Westphalia.</p>

<p>Instances arise readily to the mind, to the Jew descent from “Our father Abraham” to the Roman in the early republic membership of the Quirites, to the Musselman belief in Allah as the one true God and Mohamet as his prophet, were the all-important essentials.</p> <p>But change is the invariable characteristic of all human life, and whatever may have given rise to the conceptions of territorial sovereignty it is certain that it is an inseparable accompaniment of the feudal system established so firmly in England after the Norman conquest. (Maine describes it as “an offshoot though a tardy one of feudalism”) and that the colonial rivalry which set in amongst the nations of Western Europe after the discovery of America greatly assisted to establish it as a dominant principle of International Politics, and as such it played a substantial part in the discussions which resulted in the group of treaties consisting in the peace of Westphalia signed in 1649 from which date full and complete sovereignty within territorial limits may be regarded as a dominant and essential factor of European Politics.</p> <p>Not only Western but Eastern nations likewise have grasped the idea of full territorial sovereignty and are clamouring for full recognition of this their territorial rights with no uncertain votes. Among Eastern nations Japan has</p>			<p>The paragraphs also provide geographical context with a focus on “Eastern” as well as “Western” nations specifically Japan, ‘Siam’ and China.</p> <p>As a less dominant step, these paragraphs include references to the literature quoting ‘Maine’ and Chief Justice Marshall.</p>
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<p>already acquired full sovereignty, her neighbour Siam very largely so while China is struggling in face of grave obstacles for similar recognition of her rights as a sovereign state. It may be true generally that Easterns imbibe Western ideas slowly but certainly all these nations fully recognise that in the words of Chief Justice Marshall –“Any restriction upon it (that is the jurisdiction of the nation) deriving validity from an external source would imply a diminution of its own sovereignty to the extent of the restriction and an investment of that sovereignty to the same extent in that power which could impose the restriction.”</p> <p>And the awakening East is naturally jealous of any derogation from its sovereign powers especially of such as seem to imply inferiority to the West.</p>			
<p>Nevertheless in spite of the clear recognition of territorial sovereignty which exists generally to-day there still remains in some countries certain derogations from full sovereign powers of which by far the most important is that which is known as EXTRATERRITORIAL JURISDICTION...</p>	3c Issue	2	<p>This step is part of Move 2 ‘establishing the research niche’ and focuses on the central issue. Namely that, although there is now clear recognition of territorial sovereignty, there are also situations in which there are “derogations from full sovereign power” most importantly Extraterritorial Jurisdiction.</p>

...by virtue of which persons owing allegiance to one national sovereign and living in the territory of another, are, either in whole or in part, exempt from the jurisdiction of the territorial sovereign and remain under the extraterritorial jurisdiction of their national sovereign.	15 Definition	VAR	This part of the sentence partly defines extraterritorial jurisdiction although a more detailed description follows later in the introduction.
<p>It is proposed in the following pages to consider particularly British Extraterritorial Jurisdiction and the inquiry will lead to a consideration of the following points ---</p> <ol style="list-style-type: none"> 1. How Extraterritorial Jurisdiction in general arose. 2. How far Britain herself allowed extraterritorial rights to be exercised by foreigners within her borders. 3. The general historical development of British Extraterritorial jurisdiction. 4. How far and in what manner Britain to-day exercises extraterritorial rights in other countries. 5. A consideration of the present position and of the arguments brought forward against a continuance of the system. 	4 Research focus	3	<p>Here the writer lists 5 "points" which the thesis will cover. I have labelled this as Step 4 'research focus/aim'. Most of the points are too broad and/or too descriptive to be considered research aims in a modern thesis. However, a more descriptive overview of research content/focus is common in the introductions in the historical corpus. I considered labelling this as Step 12 'thesis structure' but rejected this because the points do not reflect the thesis structure.</p>
At the outset it is necessary to make perfectly clear what is meant by Extraterritorial jurisdiction or Extraterritoriality for unfortunately,	15 Definition	VAR [VAR]	Here the writer provides a more detailed definition of extraterritorial jurisdiction than earlier, contrasting

<p>there seems to exist a certain amount of confusion of the above term with that of extraterritoriality.</p> <p>The two terms have been used interchangeably to denote the ground of immunity that foreign sovereigns and their ambassadors enjoy from civil and criminal process in the country to which for the time being the latter may be accredited or in which the former may be a visitor. Whatever may be the exact significance of the term Extraterritoriality (and some writers regard it synonymous with Extraterritoriality) in these pages the latter term is used exclusively, and in the sense Dr. Lui ascribes to it when he writes –</p> <p>“The term Extraterritoriality is generally employed to describe the condition of law existing in certain oriental countries under which foreigners are exempt from the local jurisdiction and are subject to their own national authority by virtue of well-established usage or Treaty arrangements.”</p> <p>The same writer quotes the definition of Prof. Moore which as bringing out the main features of Extraterritoriality as exercised at the present time it is useful to note. Moore writes – “Owing to diversities in law custom and social habits, the citizens and subjects of nations possessing European civilisation enjoy in</p>	<p>[17 Literature]</p>		<p>extraterritoriality with extraterritoriality and quoting definitions from ‘Dr. Lui’ and ‘Prof. Moore’ before stating how the term is meant in this paper.</p>
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<p>some countries of non-European civilisation, chiefly in the East, an extensive exemption from the operation of the local law. This exemption is termed Extraterritoriality”.</p> <p>Hence in accordance with the above definition, by British Extraterritorial Jurisdiction is ordinarily meant - - The immunity which British subjects in foreign lands enjoy from the jurisdiction of the native courts and their subjection to British courts; or more briefly – The sole exercise of jurisdiction over British subjects in Foreign lands by British courts.</p>			
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B: Thesis Six

M3(4), M1(1), M1(2), M3(4), M3(13), M2(3d), M2(3c), M3(13), M3(14), M3(9) [M3(13)]

Extract	Step	Move	Comment
The object of this Thesis is to discuss the problem of International Law involved in the Egyptian question from the second half of the nineteenth Century until the present day	4 Aim	3	In this sentence, the writer explicitly states the aim of the thesis “The object of this Thesis is...”
The Egyptian question was originally brought into being by the unrest created in the Middle East by the rising of Mohamet Ali, the governor general of Egypt, against his sovereign, the Sultan of Turkey. The Great Powers intervened and in the Treaty of London of 1840 a settlement was made on the basis of establishing in Egypt an autonomous	1 Topic	1	These sentences provide historical context for the topic

government under Mohamet Ali subject to the sovereignty at the Ottoman Porte			
Since then, the interest of Europe, once aroused in the affairs of Egypt, has steadily increased and has finally become the predominant feature both of the internal history of the country and of its international position.	2 Centrality	1	The writer now makes a case for the centrality of the topic i.e. interest has “steadily increased” & is now “the predominant feature” internally & externally
It is the object of this Thesis to dismiss the problems of International Law which have developed in the course of this rise of Egypt to a place in the Family of Nations	4 Aim	3	Again, the writer explicitly states the aim of the thesis, albeit without having yet identified what the ‘problems of international law’ are.
Covering as it does a period of some ninety years it represents a wide field of study, and a mere chronical of the historical fact involved might well reach forbidding dimensions. But pains have been taken to reduce this side of the Thesis to a bare minimum. Fact of course has had to be stated in order that the problem of International Law involved might be apprehended. In some instances, the discovery of the necessary fact has been of itself a considerable task; but in spite of its fascination a discussion of fact has been steadfastly resisted, and a work on International Law has not been anywhere allowed to shade off into a study of International Relations. In discussing the main features of the Egyptian question from the point of view	13 Scope	3	This section discusses the scope of the thesis and attempts to restrict that scope i.e. “pains have been taken to reduce” historical chronology to a “bare minimum”; “a work on International Law has not been allowed anywhere to shade off into a study of International Relations” and “care has been taken not to write separate essays on such general questions as...although certain aspects of these questions had necessarily to be discussed”.

of International Law care has been taken not to write separate essays on such general questions as the legal conception of the state, acquisitions of territory, conclusion and interpretation of treaties, recognition of new states and governments, the rights and duties of neutrals, although certain aspects of these questions had necessarily to be discussed.			
But it was found appropriate to deal, in some detail, with such questions as the international protectorate, intervention, self-preservation, conditional recognition of independence, the influence of duress on the binding force of treaties and the question of conquest. Other legal questions, which seem to be of special importance to the subject, are discussed in greater detail, for example, the principle of self-determination in international law, the pacific military occupation of alien territory and the application of martial law in such territory.	3d Questions	2	In these sentences, the writer lists questions which the work tackles “in some detail” and “in greater detail”. I considered labelling these Step 4 (Research Focus/Aim) or Step 5 (Research Questions) but, after consulting with a colleague, decided these were more akin to Step 3d (Questions Raised) as part of Move 2 (Establishing a Niche).
Apart from this, the Egyptian question raises special problems which require legal treatment. The following may be given as examples: The nature of the legal relations between Egypt, Turkey, and the Great Powers since the Treaty of London of 1840; the British military occupation and its effect on the judicial status of Egypt; the legality of the attitude taken by the Egyptian Government at the outbreak	3c Problems	2	Here the writer specifies ‘special problems which require legal treatment’. The difference between a problem (Step 3c), question (Step 3d) or debate (Step 3a) is often blurred. Here, I was guided by the writer’s explicit label.

of the World War; the nature and effects of the British Protectorate proclaimed in 1914 and of the declaration of Egypt's independence in 1922.			
The Sudan, the Suez Canal and the Capitulatory Regime in Egypt are not dealt with in detail in view of the fact that no detailed discussion of those special subjects is required for the general purposes of this monograph.	13 Scope	3	In this sentence, the writer limits the scope of the thesis by specifying the subjects that are not dealt with in detail.
In writing the Thesis I have been handicapped by the fact that the strictly legal output on its subject in the English language is very meagre. Foreign works had to be consulted, but this source also is singularly lacking in information as far as the post-war period is concerned.	14 Limitations	3	Here, the writer specifies limitations. He has been 'handicapped' by lack of legal output in English and lack of information on the post-war period.
In dealing with a current international question, the legal statement of the facts and arguments may be misunderstood as a political discussion. However, my sincere endeavour has been to confine myself throughout the legal aspect of the question. I have refrained from discussing the moral merits of the issues involved and have carefully abstained from drawing conclusions from controverted points of fact.	9 Defence against possible critique [13 Scope]	3 [3]	In these final sentence, the writer again limits the scope of his thesis by saying he has confined himself to legal aspects and refrained from discussing moral merits or drawing conclusions from "controverted points of fact". However, the main aims seems to be to defend himself against possible criticism e.g. that his thesis is a political discussion rather than a legal one.

C: Thesis Nine

M1(1), M3(4), M3(8), M3(13), M3(4), M3(13), M1(1), M3(8)

Extract	Step	Move	Comment
The purpose of this work is to treat of the question of international law in the Anglo-Iranian diplomatic relations	1 Topic / Context	1	I labelled this Step 1 (Topic) because the sentence introduces the topic of the thesis which is Anglo-Iranian diplomatic relations. I discussed with a colleague whether it should be labelled Step 4 (Research Focus/Aim) given that it begins "The purpose of this work is to..." but we decided Step 1 was more appropriate.
Our first aim, therefore, would be to ascertain the time when such relations started and then discuss the questions which have arisen therefrom.	4 Focus/ Aim	3	This sentence explicitly states the aim of the thesis.
It is submitted that no officially recognised diplomatic relations were in existence between these two countries before the nineteenth century	8 Argument / Conclusion	3	Here the writer makes a claim or argument "It is submitted that.."
What comes before that century, therefore, is outside the scope of this thesis.	13 Scope	3	This sentence explicitly limits the scope of the thesis "x is outside the scope of this thesis"
It is, however, proposed to give a survey of diplomatic and other relations of Iran with European countries before the nineteenth relations of Iran with European countries before the nineteenth century. Hence the present Introduction.	4 Focus / Aim	3	Here the writer states what the thesis will do; in other words what the focus is.

It is not however intended to give a detailed account of the history of Iran, but rather a brief summary of the early relations between that country and the European States, as well as certain of the main events which led to the shape of Iran as we find it at the beginning of the nineteenth century.	13 Scope	3	The writer also states what the thesis does not do (i.e. give a detailed history) and, as such defines the scope of the thesis.
<p>The early relations between Iran and the European countries were of a commercial rather than of a diplomatic character. This is particularly so with regard to England, which was rather a late-comer in the field. The early Europeans who established contact with Iran were those Portuguese and Spanish adventures who, in search of new sources of wealth in quest of new lands, endangered their lives and safety in attempting to explore regions unknown to them.</p> <p>The first of those Spaniards to give an account of his travels in the East and incidentally a description of certain places in Iran, was not, however, an adventurer in the strict sense of the word. He was a Jew called Benjamin of Tudella. Rabbi Benjamin who travelled extensively between 1160 and 1173 visiting Constantinople, Cyprus, Palestine, Syria and Bagdad, at that time the seat of the Caliphate. How far towards Iran he penetrated is doubtful, but he gives descriptions of such places as Khuzistan, Shushtar, Isfahan, Hamadan Kazvin, cities and places widely apart from each other.</p>	1 Topic / Context	1	This is a lengthy step where the writer provides historical context for Anglo-Iranian diplomatic relations (24 paragraphs in total) beginning around 1160 and ending around 1925.

Nearly two centuries later we have an eminent Spanish traveller, Ray Gonzalez de Clavijo, ambassador from Don Phillip III of Castille to Tamer Lane, giving an account of some of the Iranian cities, such as Tabriz, Sultaniyeh and Kazvin. He writes of the prosperity of the first two cities with some admiration, and of the ruined condition of the last he speaks with regret. De Clavijo started on his mission on May 22nd, 1403, returning to his native land in March 1406.

At the time of De Clavijo, however, Iran did not exist as an independent country. It had been invaded and overrun by Monguls, a barbaric race from the East, who had destroyed whole cities and had massacred the population mercilessly, wiping out the efforts of former rulers to build up an independent Iran and to give it the prestige and prosperity it enjoyed before the Arab conquest.

Another century elapses before we see Iran again as an independent state under the Safavid Dynasty. It was during the reign of Shah Ismail, founder of this dynasty, that Alfonso de Albuquerque, one of the great Portuguese empire-builders and at one time Governor of India, acquired Hormuz for his country in 1515, which place he considered to be of immense strategic importance, and very

<p>necessary for the security of the Portuguese Empire in the east.</p> <p>This acquisition however, soon created a source of friction between the Portuguese and Iranians which led, in 1520, the Portuguese Governor of India, Duarte de Menzes, to send an embassy to Iran, with a view to obtaining the Shah's friendly disposition. The ambassador chosen was Balthazar de Pessoa, was favourably received by Shah Ismail and successfully achieved his mission.</p> <p>Thus we have, in 1520, the first diplomatic relations between Iran and Portugal, a relation which lasted for a century and end with the failure of the mission of Don Garcias de Silvia – or Figuerea, as he is more generally called. Figueroa, a nobleman by birth, had been sent by Phillip III of Spanish to Shah Abbas for the purpose of obtaining some concessions which would add to the greater security and prosperity of the Portuguese settlements on the Persian Gulf.</p> <p>In pursuance of this mission, Figueroa left Spain in 1614 did not reach Iran until late in 1617 and his first interview with the King was delayed until 1618. Soon after this Shah Abbas departed on a new campaign against the Turks, returning 1619 when he again received the Spanish ambassador. Figueroa then demanded the</p>			
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cession by the Shah of certain islands dependent on Hormuz, namely the islands of Quishm and Bahrain, also an assurance by the Shah not to permit the English or the subjects of any power to trade in his country. As his demands were not acceded to, the ambassador left Isfahan and returned to Spain in 1624, while in the meantime the Shah, with the help of the English, drove the Portuguese from Hormuz thereby giving the final blow to their supremacy in the Persian Gulf and their ambition in Iran.

As it is apparent then, at this time, the English also had found their way to Iran and had established themselves there. As a matter of fact the contact between the English and Iran had its origins more than half a century before this. The first man to start the intercourse between the two countries was Anthony Jenkinson, who in the year 1516 was charged by the MUSCOVY company to conduct an expedition to Iran. Jenkinson carried a letter from Queen Elizabeth to the "great Sophie" by which name the kings of Iran were at that time designated. In this letter the Queen recommended him to the Shah, expressing her hope that he might be accorded every facility in his movements and trade so that this little adventure might be the fore-runner of greater and more important intercourses between the two countries.

<p>Jenkinson was the first Englishman to land at the port of Darbani on the 1st August 1562 whence he proceeded to Kazvin, at that time the seat of the Government, where he hoped to have an audience of the monarch and obtain certain privileges. His attempt was unsuccessful, for even though he had the audience he could not obtain the desired privileges. Seeing that he could make no progress in his efforts, Jenkinson prepared to depart, and was fortunate in being allowed to do this in safety, for it seemed probable at one time that the Shah might execute him and end his head to the Sultan of Turkey as a friendly gesture and as a token of the adjustment of the religious differences between the two countries.</p> <p>Thus ended the first attempt of the English to establish communications with Iran and open the doors of commerce with that country. The Muscovy Company, however, far from losing hope made five other attempts at expeditions of which the last in 1579, which at first promised to justify the company's expectations and to belatedly reward their admirable perseverance, ended in 1581, without having accomplished the desired results, or having effected any progress which might encourage the company to continue their efforts.</p>			
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Then other individuals and companies took up the task which the Muscovy Company had started, and these, assisted by more favourable circumstances, met with greater success. The condition of Iran was improving steadily under the Safavid dynasty, and with the gradual but firm establishment of central authority over the outlying provinces, circumstances became more hopeful for foreign trade and intercourse. In due course of time the English, French and Dutch established factories in Cumbrun from whence they carried on trade within the interior.

When Abbas I, surnamed the Great, ascended the throne, the country was already in an improved state and that monarch did much to increase the resources of the country and to maintain and improve friendly relations with the European countries. It was proposed to Sir Anthony and his brother Sir Robert Sherley to undertake a journey to Iran, which by the trade it carried on at that time had become an object of attention to the British nation. These two brothers were given a distinguished reception and were promised every encouragement.

Sir Anthony advised the king to engage in a contest with the Turks, who at that time had become a source of terror to Europe and then offered himself as the instrument to establish an alliance between the Shah and the monarchs of

Christendom. Of course Sir Anthony's object in this proposition was to gain for himself favours from the Iranian ruler and Christian monarchs alike rather than bestow any benefit upon Abbas. Nevertheless, he was appointed jointly with an Iranian by the name of Hussein Ali Beg, as ambassador to the Christian sovereigns of Europe. In the credentials which he gave to Sir Anthony, Abbas called upon the Christian rulers to embrace his friendship. At the same time the king granted many privileges to those Christian merchants who might choose to trade with Iran, securing them their lives, property and the free exercise of their religions.

Shah Abbas also maintained an alliance with Jahangheer, the Emperor of Delhi, and a friendly communication with the subjects of the different European States who had formed settlements in India and who had expressed an anxious desire to improve their connection with Iran. But he viewed with jealousy the Portuguese settlement in Hormuz which had become a great centre of commerce and wealth. It was, therefore, after the failure of the Spanish mission under Figueroa, that the Shah with the assistance of the English, who supplied him with a naval equipment, reduced that island, and took possession of it. In return for their assistance, the agents of the East India Co. were exempted from paying customs on

the merchandise which they imported at Qumbrum and were allowed a share of the duties taken from others. But although they were superabundantly paid for their services, these agents were apparently never satisfied. Both during the reign of Abbas and subsequently they laboured to gain ever more favours and concessions, which exertions however brought them no fruit.

In the later years of his life, Abbas appointed Sir Robert Sherley as his ambassador to James I. On his return in 1626, Sherley was accompanied by a gentleman of rank, Sir Dodiers Cotton, as ambassador from James to the King of Iran. The English ambassador and his suite were given a magnificent reception. The object of the mission was to induce the Shah to enter into a league with England against the Turks, and to increase the trade between the two kingdoms. The work of the mission, however, remained unfulfilled as in 1687, a few months after their arrival in Iran, Sir Dodmore and Sir Robert both died and their attendants returned to England.

Shah Abbas also died in the same year and the glory of the Safavid dynasty began to wane. Even though the succeeding rulers maintained the same favourable attitude towards foreign travellers, the corruption which began to make itself evident in the administration of the country, rendered

foreign trade extremely difficult, and the contact with European States diminished steadily with the increasing misadministration.

In 1549 Sultan Hussein, who may be regarded as the last of the Safavids, ascended the throne. His weak and credulous nature brought the country into a most lamentable condition and virtually destroyed the authority of the central government. It was during the reign of this king that Mahmood of Afghan with a meagre force of 20,000 marched over Iran (1722) and after reaching the capital almost unopposed, there met and defeated an Iranian force of 50,000 whereby Sultan Hussein abdicated the throne in his favour.

Iran now had an Afghan ruler. This epoch however with its appalling atrocities, was of short duration and came to an end with the rising of Nadir, who supporting the legitimate heir to the Safavid throne, and ostensibly acting for him, succeeded after three engagements in clearing the country of this foreign element and winning back the throne for its rightful owner. This was however a mere step towards the final attainment of his goal by Nadir. Shortly afterwards he seized the new King as being unworthy of that rank, and later was urged by the notables of the country to accept the throne for himself and assume the title of Shah. He had by

<p>this time restored all the Iranian provinces which, during the Afghan revolt, had been annexed by Turkey and Russia.</p> <p>Had Nadir at this time turned his attention to the country itself and devoted a fraction of his genius to setting up a proper administration, he would certainly have created a great Iran. Unfortunately, however, Nadir was a soldier and not an administrator. Immediately he had completed the task of clearing the country of its fees, he reverted to foreign conquests. A part of the Ottoman dominions were annexed. Afghanistan and India were in turn conquered and thus vast territories were added to the Iranian Empire which, in the absence of any proper administration, had to be relinquished the moment the great King's passion for conquest was satisfied.</p> <p>Nadir created a powerful army for Iran which, immediately after his death (1747) was split into opposing factions, each with its independent leader, claiming to succeed Nadir. These several chiefs, aiming at each other's elimination, proceeded to plunge his country into a most disastrous civil war, out of which Karim Khan Zand emerged victoriously and established himself on the throne.</p>			
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<p>During the reign of this monarch Iran enjoyed a period of comparative rest and tranquillity. During the last twenty years of his reign, Karim Khan was without a rival, and he devoted his time and attention to advancing the condition of life and restoring justice, order and quiet. During that time, the commerce of the country as well as its agriculture were greatly revived. The industrial and agricultural classes were protected and encouraged, and the King seldom failed to redress the wrongs which his subjects suffered at the hands of officials he appointed to govern them. Perhaps never before had justice been administered to such an extent, nor did the happiness of subjects exceed that which the Iranians enjoyed during the reign of this sovereign.</p> <p>At this time also the English removed their factory from Bender Abbas and fixed their centre in Bushire, which during the nineteenth century became a point of strong political activities. At the same time, they concluded a treaty with Karim Khan and obtained some concessions.</p> <p>Karim Khan's popularity and success could have afforded an example and lesson to the later monarchs, but unfortunately little if any, of that example was followed. This just ruler died in 1777 and with his death vanished that short period of happiness, prosperity and tranquillity which he had given Iran. Civil</p>			
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<p>war and bloodshed, similar to that following Nadir's death, threw the country once more into rival camps, bringing in its trail irreparable damage and destruction of all the good work accomplished by the late King. Internal strifes among the members of Karim Khan's family rendered their authority weaker and thus afforded an excellent opportunity to Aga Mohammed Khan, chief of the Kajar family, to wipe them out and seize the power for himself.</p> <p>Thus ended in 1793 the short life of the Zand rule over Iran, and henceforth, the country was ruled by the Kajar dynasty until the last of them, Ahmad Shah, was deposed by the Parliament in 1925 and a national Convention bestowed the throne upon the present sovereign, His Majesty Reza Shah Pahlavi.</p>			
<p>From this too brief a summary of the history of Iran before the nineteenth century, it is easy to understand the appalling condition of the country at the beginning of that century. Except for a short period during Kareem Khan's reign, the eighteenth century witnessed far from happy conditions in Iran. There had at no time during that century been any well-defined system of government with adequate laws and administration. Nor indeed could such system have been established having regard to the eternal wars and strife both at home and abroad,</p>	<p>8 Argument/ Conclusion</p>	<p>3</p>	<p>The final two paragraphs of the introduction act as a conclusion and argues that the Kajars were guilty of "gross misrule" constituting "a dark chapter in the history of Iran".</p>

<p>in which Iran was engaged during the major part of the eighteenth century.</p> <p>With the undisputed assumption of power by the Kajars one could have hoped that the rulers of that dynasty would strive to promote the welfare of the country, to repair the damage done and to improve the machinery of the government. Instead these rulers viewed with intense disfavour the establishment of any proper administration which might detract from their personal authority. Their gross misrule dragged the country near the abyss of its complete destruction. The Kajar rule constitutes a dark chapter in the history of Iran.</p>			
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Appendix Five: Move-Step Analysis of the Modern Theses

This table shows the moves and steps which were identified in the modern corpus.

Text	Move-Step Sequences
1	<p>Moves and steps</p> <p>M1 (1) [M3 (4)], M VAR (15), M2 (3a), M1 (2), M2 (3a), M1 (1) [M2 (3a)], M2 (3c), M2 (3d), M2 (3a), M1 (2), M3 (4), M2(3b), M1 (2), M3 (6), M3 (10) //</p> <p>M3 (6 and 13), M3 (8), M3 (13), M3 (4 and 14), M3 (11 and 12)//</p> <p>M3 (14) [M2 4], M1 (1), M2 (3a), M2 (3b), M2 (3a), M3 (14), M VAR (17), M3 (4 and 7 and 11)//</p> <p>M3 (6), M3 (11), M VAR (15), M3 (11), M VAR (15)//</p> <p>M VAR (15)//</p> <p>M VAR (15)//</p> <p>M3 (11), M3 (8), M1 (1) [M VAR (15)]//</p> <p>M3 (5 and 12), M3 (8), M2 (3d), M3 (5 and 12)</p> <p>Moves without steps and where move variable steps have been assigned a move</p> <p>M1 [M3], M2, M2, M1, M2, M1 [M2], M2, M2, M2, M1, M3, M2, M1, M3, M3//</p> <p>M3, M3, M3, M3, M3//</p> <p>M3 [M2], M1, M2, M2, M2, M3, M3, M3//</p> <p>M3, M3, M3, M3, M3//</p> <p>M3//</p> <p>M3//</p> <p>M3, M3, M1 [M1]//</p> <p>M3, M3, M2, M3</p> <p>Moves without repeated steps</p> <p>M1 [M3], M2, M1, M2, M1 [M2], M2, M1, M3, M2, M1, M3, M3 [M2], M1, M2, M3, M1, M3, M2, M3</p>
2	<p>Moves and steps</p> <p>M1 (1, 2 and 3a), M VAR (16), M2 (3d), M VAR (16)//</p> <p>M VAR (16), M2 (3a), M2 (3c), M VAR (16)//</p> <p>M3 (4), M3 (12), M3 (5)//</p> <p>M3 (6), M1 (1), M3 (8), M VAR (17), M3 (4)//</p>

	<p>M3 (6), M3 (14), M VAR (16), M3 (14), M3 (4), M3 (13), M3 (14), M3 (8), M3 (12), M3 (8), M2 (3d)//</p> <p>M3 (12 and 13 and 9)</p> <p>Moves without steps and where move variable steps have been assigned a move</p> <p>M1, M1, M2, M2 //</p> <p>M2, M2, M2, M2 //</p> <p>M3, M3, M3//</p> <p>M3, M1, M3, M3, M3//</p> <p>M3, M3, M3, M3, M3, M3, M3, M3, M3, M3, M2//</p> <p>M3</p> <p>Moves without repeated steps</p> <p>M1, M2, M3, M1, M3, M2, M3</p>
3	<p>Moves and steps</p> <p>M2 (3b) [M1 (1)], M VAR (15), M1 (1) [M2 (3a and 4)], M1 (1), M2 (3c), M1 (2)//</p> <p>M1 (1), M2 (3a), M3 (5), M3 (8), M2 (3d), M2 (3b), M VAR (17), M2 (3b), M2 (3c), M1 (1), M2 (3c)//</p> <p>M2 (3c), M3 (5), M3 (10), M3 (6), M3 (9), M3 (14 and 10), M3 (6 and 14), M2 (3f), M3 (6), M3 (4), M3 (10), M3 (8), M3 (10) [M2 (3b)]//</p> <p>M3 (12 and 13 and 5 and 9), M3 (12 and 13 and 5), M3 (12 and 13 and 5), M3 (12 and 13 and 9), M3 (12 and 13 and 5), M3 (12 and 13 and 5), M3 (4), M3 (10)//</p> <p>M3 (14), M3 (13)</p> <p>Moves without steps and where move variable steps have been assigned a move</p> <p>M2 [M1], M1, M1 [M2], M1, M2, M1//</p> <p>M1, M2, M3, M3, M2, M2, M2, M2, M1, M2//</p> <p>M2, M3, M3, M3, M3, M3, M3, M2, M3, M3, M3, M3, M3 [M2]//</p> <p>M3, M3, M3, M3, M3, M3, M3, M3//</p> <p>M3, M3</p> <p>Moves without repeated steps</p> <p>M2 [M1], M1 [M2], M1, M2, M1, M2, M3, M2, M1, M2, M3, M2, M3, M3 [M2], M3</p>

4	<p>Moves and steps</p> <p>M3 (4) [M1 (1)], M3 (6), M2 (3d), M2 (3a) //</p> <p>M1 (1), M3 (13), M VAR (17), M3 (13), M2 (3d), M1 (1), M3 (8 and 13), M1 (1), M VAR (17), M3 (6), M1 (1), M3 (11)//</p> <p>M VAR (15), M1 (1), M1 (1), M3 (11)//</p> <p>M3 (11), M3 (8)//</p> <p>M3 (6), M3 (9), M3 (6), M1 (1), M3 (6 and 10), M3 (13), M VAR (15), M3 (4 and 14), M3 (6), M3 (10), M3 (12)//</p> <p>M3 (8)</p> <p>Moves without steps and where move variable steps have been assigned a move</p> <p>M3 [M1], M3, M2, M2//</p> <p>M1, M3, M3 M3, M2, M1, M3, M1, M1, M3, M1, M3//</p> <p>M1, M1, M1, M3//</p> <p>M3, M3//</p> <p>M3, M3, M3, M1, M3, M3, M3, M3, M3, M3//</p> <p>M3</p> <p>Moves without repeated steps</p> <p>M3 [M1], M3, M2, M1, M3, M2, M1, M3, M1, M3, M1, M3, M1, M3, M1, M3</p>
5	<p>Moves and steps</p> <p>M1 (1 and 2), M VAR (17), M3 (4), M3 (5), M3 (8), M3 (6), M3 (11)//</p> <p>M VAR (17), M3 (4 and 14), M1 (1)//</p> <p>M1 (2) [M2 (3c)], M2 (3d), M VAR (17), M2 (3a), M3 (13)//</p> <p>M3 (6), M VAR (15), M2 (3a), M3 (6), M3 (8)//</p> <p>M VAR (16), M2 (3e), M VAR (17), M3 (6)//</p> <p>M3 (5), M VAR (15), M VAR (17), M3 (6), M3 (8), M3 (6), M3 (7), M3 (5), M3 (6)//</p> <p>M3 (5), M3 (6), M3 (12 and 13)//</p> <p>M3 (10)</p> <p>Moves without steps and where move variable steps have been assigned a move</p> <p>M1, M3, M3, M3, M3, M3, M3//</p> <p>M3, M3, M1//</p> <p>M1 [M2], M2, M2, M2, M3//</p> <p>M3, M3, M2, M3, M3//</p>

	<p>M3, M2, M3, M3//</p> <p>M3, M3, M3, M3, M3, M3, M3, M3, M3//</p> <p>M3, M3, M3//</p> <p>M3</p> <p>Moves without repeated steps</p> <p>M1, M3, M1, M1 [M2], M2, M3, M2, M3, M2, M3</p>
6	<p>Moves and steps</p> <p>M3 (4) [M1 (1)], M3 (6)//</p> <p>M VAR (15), M VAR (17), M1 (1), M1 (1)//</p> <p>M3 (4), M3 (6), M3 (7), M3 (6), M3 (12), M3 (12)</p> <p>Moves without steps and where move variable steps have been assigned a move</p> <p>M3[M1], M3//</p> <p>M1, M1, M1, M1//</p> <p>M3, M3, M3, M3, M3, M3</p> <p>Moves without repeated steps</p> <p>M3[M1], M3, M1, M3</p>
7	<p>Moves and steps</p> <p>M1 (1 and 2), M VAR (15), M1 (2), M3 (11 and 12)//</p> <p>M1 (1), M3 (11), M1 (1)//</p> <p>M3 (4), M3 (6), M3 (13)//</p> <p>M1 (2), M1 (1)//</p> <p>M3 (6 and 10), M1 (1), M3 (11)//</p> <p>M3 (9), M3 (12 and 13)//</p> <p>M3 (9), M3 (4), M3 (6), M VAR (17)//</p> <p>M3 (9), M3 (6 and 8), M3 (9)//</p> <p>M3 (8), M3 (13), M3 (14), M3 (12)</p> <p>Moves without steps and where move variable steps have been assigned a move</p> <p>M1, M1, M1, M3//</p> <p>M1, M3, M1//</p>

	<p>M3, M3, M3//</p> <p>M1, M1//</p> <p>M3, M1, M3//</p> <p>M3, M3//</p> <p>M3, M3, M3, M3//</p> <p>M3, M3, M3//</p> <p>M3, M3, M3, M3</p> <p>Moves without repeated steps or section breaks</p> <p>M1, M3, M1, M3, M1, M3, M1, M3, M1, M3</p>
8	<p>Moves and steps</p> <p>M1 (1), M3 (6), M3 (8), MVAR (17), M3 (10), M VAR (17) [M2 (3a)], M3 (10), M3 (5) [M2 (3b)], M3 (5), M3 (8), M3 (6), M3 (11)//</p> <p>M VAR (17), M2 (3f), M3 (14), M3 (8 and 10), M3 (6), M3 (10)//</p> <p>M VAR (17), M3 (8), M VAR (17)//</p> <p>M VAR (15), M VAR (17), M3 (13), M3 (4), M3 (11)//</p> <p>M1 (1), M3 (6), M3 (9)//</p> <p>M3 (12 and 13)//</p> <p>M3 (8)</p> <p>Moves without steps and where move variable steps have been assigned a move</p> <p>M1, M3, M3, M3, M3, M3 [M2], M3, M3 [M2], M3, M3, M3, M3//</p> <p>M2, M2, M3, M3, M3, M3//</p> <p>M3, M3, M3//</p> <p>M3, M3, M3, M3, M3//</p> <p>M1, M3, M3//</p> <p>M3//</p> <p>M3</p> <p>Moves without repeated steps</p> <p>M1, M3, M3 [M2], M3, M2, M3, M1, M3</p>

9	<p>Moves and steps</p> <p>M1 (1), M VAR (15), M2 (3d), M2 (3c), M1 (1), M3 (8), M1 (1), M2 (3d), M1 (1), M2 (3a), M3 (4), M3 (12), M3 (4), M3 (12)</p> <p>Moves without steps and where move variable steps have been assigned a move</p> <p>M1, M1, M2, M2, M1, M3, M1, M2, M1, M2, M3, M3, M3, M3</p> <p>Moves without repeated steps</p> <p>M1, M2, M1, M3, M1, M2, M1, M2, M3</p>
10	<p>Moves and steps</p> <p>M1 (2 and 3a), M2 (3a), M1 (1), M2 (3a), M1 (1)// M3 (13), M3 (6)// M2 (3b), M3 (10), M VAR (17) [M2 (3b)], M3 (8), M2 (3b), M3 (8), M3 (3c), M3 (3b), M3 (10)// M2 (3b), M3 (10), M VAR (17) [M2 (3b)], M3 (8), M2 (3b), M3 (8), M3 (8), M2 (3b), M3 (8), M2 (3b), M3 (8), M2 (3b), M3 (8), 3 (3c), M3 (3b), M3 (10)// M3 (4)// M3 (6), M VAR (15), M3 (6 and 10), M3 (8)// M3 (12 and 13)</p> <p>Moves without steps and where move variable steps have been assigned a move</p> <p>M1, M2, M1, M2, M1// M3, M3// M2, M3, M2[M2], M3, M2, M3, M3, M3, M3// M2, M3, M3 [M2], M3, M2, M3, M3, M2, M3, M2, M3, M2, M3, M3, M3// M3// M3, M3, M3, M3// M3</p> <p>Moves without repeated steps</p> <p>M1, M2, M1, M2, M1, M3, M2, M3, M3 [M2], M3, M2, M3, M2, M3, M2, M3, M2, M3</p>

Appendix Six: Samples of Move-Step Analysis of the Modern Theses

This appendix shows how five of the theses in the modern corpus were analysed for moves and steps. Sometimes, moves and steps are clear but, often, they are open to interpretation as the column on the right explains. The introductions in the modern corpus are generally longer than those in the modern corpus. Thus the samples below are not of full introductions. Instead they are extracts from different sections of five of the ten theses.

A: Sample One

This sample is taken from the beginning of Thesis One. The sampled section is shown in bold in the ‘moves and steps’ description below.

Moves and steps

M1 (1) [M3 (4)], M VAR (15), M2 (3a), M1 (2), M2 (3a), M1 (1) [M2 (3a)], M2 (3c), M2 (3d), M2 (3a), M1 (2), M3 (4), M2(3b), M1 (2), M3 (6), M3 (10) //

M3 (6 and 13), M3 (8), M3 (13), M3 (4 and 14), M3 (11 and 12)//

M3 (14) [M2 4], M1 (1), M2 (3a), M2 (3b), M2 (3a), M3 (14), M VAR (17), M3 (4 and 7 and 11)//

M3 (6), M3 (11), M VAR (15), M3 (11), M VAR (15)//

M VAR (15)//

M VAR (15)//

M3 (11), M3 (8), M1 (1) [M VAR (15)]//

M3 (5 and 12), M3 (8), M2 (3d), M3 (5 and 12)

Extract	Step	Move	Comment
This thesis seeks to explain the meaning and function of conscience in commercial law doctrine.	1 Topic [4 Aim]	1 [3]	In this sentence, the writer introduces the topic of the thesis (commercial law doctrine), which is Step 1, and states what the aim of the thesis is which is Step 4. I have labelled the moves so that M1 ‘Establishing a territory’

			<p>embeds M3 ‘Occupying the territory’ i.e. M1(1) [M3(4)], which translates to M1 [M3].</p> <p>This fits what seems to be a logical progression from topic to aim.</p> <p>However, the embedded moves could easily have been interpreted as being the topic being embedded within aim. In other words, M3 (4) [M1 (1)] or M3 [M1].</p> <p>This would have subverted the expectation in the CARS model of M1 being followed by M3 because M3 would have been followed by M1.</p> <p>Similarly, the same sentence could have been labelled as two separate moves. In which case, it would make sense for the aim “This thesis seeks to explain” to be followed by the topic “the meaning and the</p>
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			<p>meaning and function of conscience in commercial law doctrine.”</p> <p>Essentially, instead of ‘M1[M3]’, the sequence would have been registered as ‘M3, M1’ which inverts the CARS model by putting M3 before M1.</p>
<p>Conscience is an evocative word, which brings to mind ideas of religious morality and strongly held personal convictions. It conjures up hazy visions of the confessional and the ghosts of conscientious objectors. More prosaically, it speaks to us of our internal moral barometer: our instinct for choosing good over bad, right over wrong and, when we are unsure or fail to make the right choice, of the inner promptings of guilt that nag us repeatedly. It also alludes to intuitively understood moral precepts, which help us judge what is right or wrong and by which most of us try to live. Its dimensions are simultaneously internal and external, subjective and objective. Thus, it is ‘the little inner voice which warns us that someone may be looking’¹ and at the same time ‘a window through which one can see outward to the common truth which founds and sustains us all.’²</p>	<p>15 Definition</p>	VAR	<p>In this extract, the writer defines what conscience is.</p>

<p>The idea of conscience is largely impressionistic. If asked to identify behaviour described as 'conscientious' or 'in accordance with good conscience', we could probably do it easily enough: giving alms to charity and returning a dropped wallet to a stranger in the street are obvious examples. In all likelihood, we would also recognize 'unconscientious' or 'unconscionable' behaviour without too much difficulty: lying, cheating in an exam, consciously taking advantage of another's weakness to gain an advantage or deliberately taking something that does not belong to us.</p>			
<p>Nevertheless, we might find it difficult to define terms such as 'conscientious', 'in good conscience', 'unconscientious' and 'unconscionable' more precisely than to equate them with moral goodness or immoral behaviour, as appropriate. The blurred contours, intuitive content and distinctive moral overtones of the idea of conscience might well lead us to think that commercial law doctrine is not its obvious habitat.</p>	<p>3a Uncertainty</p>	<p>2</p>	<p>I have labelled this as uncertainty (Step 3a) because the writer discusses the difficulty of defining terms like conscientious. It could have been labelled as a problem (Step 3c) because of the difficulties this causes using the concept, or a weakness (Step 3b) for the same reason. Choosing between Steps 3a to 3d is often rather subjective so I consulted a colleague for a 2nd opinion.</p>

<p>Great store is set by the goals of certainty and predictability in law,³ particularly in relation to commercial matters.⁴ Commercial certainty depends to a great extent on the meaning and function of legal concepts being clear, stable and easily understood by commercial actors. As Kitchen J recently commented, 'Business needs to know where it stands.'⁵</p> <p>Yet judges regularly invoke the idea of conscience - or variants such as unconscientiousness and unconscionability - in a wide range of private law doctrines which affect commercial life, such as trusts law,⁶ the liability of third parties for receipt of trust property,⁷ mistake,⁸ economic duress,⁹ undue influence¹⁰ and unconscionable bargains.¹¹</p>	2 Centrality	1	<p>I have identified this as Step 2 – making a claim for the centrality of the topic.</p> <p>The writer does this in two ways. Firstly, by stating that certainty is important for legal concepts – which explains why seeking to define conscience is important. Secondly, by stating that the idea of conscience is widely used in legal contexts – which explains why the concept is a central one.</p>
<p>Views tend to polarise as to whether the idea of conscience can provide a useful organising legal principle or whether in fact it encourages judges to engage in unacceptably intuitive evaluations and confuses more than it elucidates. Thus, on the one hand it has been argued that the idea of unconscionability can operate as a principle for the unification of doctrines ¹¹ such as undue influence, economic duress and unconscionable bargains.¹² On the other hand the use of the idea of conscience in commercial cases has been subject to criticism on the grounds of</p>	3a Debate	2	<p>In this step, the writer outlines two schools of thought 'On the one hand...On the other hand...'</p>

vagueness, subjectivity and uncertainty. ¹³			
<p>As early as 1532 reference was made to ‘a law called “conscience”, which is <i>always uncertain</i> and depends for the greater part on the “arbytrement” of the judge in conscience’.¹⁴ As Birks put it more recently, ‘there are hundreds of kinds of equitable fraud and there are hundreds of kinds of unconscionable behaviour.’¹⁵ It is therefore said that conscience is ‘<i>a category of meaningless reference</i> likely both to mislead judges and to threaten the position of, in particular, commercial actors.’¹⁶</p>	<p>1 Context</p> <p>[3a Uncertainty</p>	<p>1</p> <p>2]</p>	<p>In this step, the writer provides some historical context (Step 1) and also re-emphasises the uncertainty of ‘conscience’ as a concept (Step 3a).</p> <p>As discussed earlier, it could be argued that Step 1 is embedded in Step 3a (i.e. M2(3a) [M1(1)]) rather than the other way around (i.e. M1(1) [M2(3a)]). The steps could also have been labelled as occurring sequentially e.g. M1(1), M2(3a), M1(1), M2(3a).</p>
<p>It is also argued that different judges may take a different view as to what is right or wrong in a particular context, and this makes it possible for them to use the idea of conscience as a thin cloak for the implementation of their own subjectively held moral beliefs.¹⁷</p> <p>Moreover, there is concern that the use of the idea of conscience in law may impede ‘careful categorisation’ of cases and undermine the idea that like cases ought</p>	3c Problem	2	<p>I have labelled this as identifying problems (Step 3c). One problem is that judges might use the concept of conscience to disguise the implementation of their subjectively held moral beliefs – something not usually deemed appropriate for judges. A second</p>

to be treated alike, ¹⁸ thus affecting the correct classification of matters involving conscience within the taxonomy of the law.			<p>problem is that the idea of conscience might ‘impede’, ‘undermine’ important areas.</p> <p>Originally, I labelled the first part of this step as making an argument (Step 8) because of the phrase ‘It is argued’ but the phrase is ambiguous – the writer could be reporting an argument made by others or putting forward her own argument. My colleagues tended towards the first view.</p>
There are questions about how to distinguish between matters of conscience that are justiciable and those that are not in order to avoid the courts having to respond to every injury ¹² or injustice, however small. ¹⁹	3d Question raised	2	Here the writer identifies a question that is raised (Step 3d).
All these criticisms reflect broader concerns about the relationship between the law and morality and tensions within the law between certainty and flexibility, rules and other standards, the common law and equity and distributive and corrective justice.	3a Debate	2	In this sentence, the writer outlines some of the conflicts, debates or tensions that exist in the field of law e.g. between law and morality and certainty and flexibility (Step 3a).
How arguments about the utility of the idea of conscience in law are resolved	2 Claim for centrality	1	This is a claim for the centrality of the research i.e. it has

therefore has implications for the coherence of the law in general.			implications for the coherence of the law in general (Step 2).
In light of the above, this thesis seeks to provide a systematic, pan-doctrinal analysis of the meaning and function of conscience in commercial law.	4 Research aim	3	In this sentence, the writer states her aim (Step 4).
The quest for meaning has largely been overlooked	3b Gap	2	Here the writer identifies a gap in previous research (Step 3b)
<p>but it is important in order that we may consider properly 'the philosophical foundations and principled interpretation of conscience' in private law.²⁰</p> <p>It is also important to assess whether the idea of conscience performs a necessary function in adjudication or adds little to legal analysis other than to reassure us that the resolution of the practical problem in question is in some sense fair.</p>	2 Claim for centrality	1	She then goes on to give reasons why it is important to fill this gap. In other words, she makes a claim for the centrality of her research (Step 2).
This requires us to pay close attention to how the idea of conscience functions within and across doctrines, ²¹ as each doctrine provides a separate framework within which the idea of conscience works.	6 Approach	3	In this sentence, she gives an indication of how she will approach her research (Step 6) i.e. she will pay close attention to how conscience functions within and across doctrines. She is not very detailed or explicit though.
It is hoped that this will aid a more principled analysis in future cases.	10 Contribution	3	In this final sentence, the writer is explicit

			about the contribution she hopes her research will make (Step 10).
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B: Sample Two

This sample is from the middle section of Thesis Two. The sampled section is shown in bold in the ‘moves and steps’ description below.

Moves and steps

M1 (1, 2 and 3a), M VAR (16), M2 (3d), M VAR (16)//

M VAR (16), M2 (3a), M2 (3c), M VAR (16)//

M3 (4), M3 (12), M3 (5)//

M3 (6), M1 (1), M3 (8), M VAR (17), M3 (4)//

M3 (6), M3 (14), M VAR (16), M3 (14), M3 (4), M3 (13), M3 (14), M3 (8), M3 (12), M3 (8), M2 (3d)//

M3 (12 and 13 and 9)

Extract	Step	Move	Comment
My approach in answering this question involves putting practices of food commodity speculation and efforts to respond to vulnerability in historical and political context. It involves identifying underlying systemic tendencies, explaining trends in economic theory, and linking these to law. The law that I am linking them to cannot be conceptualised as one thing; rather, it is a collection of ideas, principles, practices, and institutions. It is iterated in texts ranging from treaties to contracts; it is legislated, regulated, negotiated, and challenged; it is performed by people — sometimes consciously, other times not. I will be talking about many kinds of law throughout a number of different	6 Research approach	3	The writer begins this section with the explicit statement that “My approach in answering this question involves...”. She then goes on to describe her approach

historical periods and in a diverse range of countries. Some of this law is international law, and some of it is domestic; some of it is both. Increasingly, much of it is described as 'global' or 'transnational'. Operating on all of these disparate levels and throughout these diverse terrains, however, almost all of this law can be found to be regulating just one thing — the relationship between the market and society.			
The law in the 'regulatory black hole' of the over-the-counter derivative market comes, mainly, in the form of contracts. However, there are also legal devices, such as collateral, and a body of soft law — guiding principle and standards. The market it creates is, like Guantánamo Bay, largely a work of legal representation and classification. It does not exist as a place; the financial instruments sold within it may never take physical form. Through law, however, it is real. Through law, this 'virtual' trading space conditions real-world effects, both in terms of producing prices and in terms of structuring behaviours, which, in turn, structure society. While it is understood as a global market, it remains tethered to domestic legal institutions. Domestic law is constitutive of this market. This is a stark contrast with the law as it is conceptualised in the context of vulnerability to commodity price volatility. Law is absent here too, or so it	1 Topic / Context	1	This thesis is about food commodity speculation, hunger, the global food crisis and regulation. In this section, the writer outlines the legal context.

is suggested. What is needed to improve the rightlessness and to counter poverty and hunger within 'developing' country populations is law to strengthen their access to markets; ²⁹ domestic legal systems have failed them. With the guidance of international institutions towards an enabling environment in which international human rights law is respected, protected, and fulfilled, this can be remedied. Yet the coming of international law to these contexts forgets a history in which it is deeply implicated. International law, its institutions, practices of knowledge, principles, promises, and conditions, had very real effects in terms of contributing to the conditions it now seeks to remedy in developing countries. This law too, structured behaviours and structured society.			
In both instances, I will suggest, law — originating, mostly in Europe, and projected through the international, creating the global — has been instrumental in erecting global markets and creating a market society. Moving away from a focus on regulation as the fix for failing markets to the role of law as a market enabler brings to light a critical challenge for current regulatory ambitions	8 Argument	3	This is one of the writer's central arguments i.e. that we need to move away from seeing regulation as a fix for failing markets and instead see law as a market enabler.
Law constitutes the market facilitating economic interactions based on a mode of exchange that is, as Karl Polanyi has	17 Reference to literature	VAR	Here the writer summarises the ideas of Karl Polanyi.

<p>argued, intrinsically dependent on the commodification of social life: land, labour, and money.³⁰ Facilitating this mode of exchange operates to replicate it, requiring further commodification. Increasingly, it anticipates and produces a particular kind of legal and economic actor: homo economicus.³¹ Assigning him rights and regulating his relationships with others, law empowers a subjectivity that thinks individually, in the pursuit of self-interest and profit, but acts in society. Thus, in constituting the market and empowering homo economicus, law is creating a market society. As Polanyi demonstrated in <i>The Great Transformation</i>, this had insidious effects historically on many people trying to live and thrive in that society, prompting them to rebel, and to seek law's protection, demanding social regulation that would shield them from the excesses of the market. This oscillation between market entrenchment and market mitigation is designated by Polanyi as the 'double movement'.³²</p>			
<p>What I will seek to show in this thesis, via an exploration of the role of law in the context of food commodity speculation, price volatility, and vulnerability, is that this pendulous swinging — this hinge of the relationship between market and society — is seizing up. Its direction is ever more singular. A political stance taken to the market is</p>	4 Aim	3	<p>In these sentence, the writer specifies her aim "What I will seek to show in this thesis...is.." and "As I will seek to demonstrate.."</p>

<p>crystallised into constitutive law that hinders the ability of the state to regulate the market in the interests of society. The proliferations of laws that ‘economize the social’,³³ to borrow from Wendy Brown; or that ‘regulate society by the market’,³⁴ prevents, or at any rate inhibits, a shift towards another kind of politics. This occurs because the law isn’t just structuring a market, it is structuring mindsets. It is conditioning agencies predisposed to act as homo economicus: to calculate, speculate, and, in pursuit of the maximisation of their own utility, to circumvent or otherwise resist regulation. As I will seek to demonstrate, this sets critical limits to the ambitions of those seeking to use regulation to tackle hunger.</p>			
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C. Sample Three

This sample is taken from the beginning of Thesis Five. The sampled section is shown in bold in the ‘moves and steps’ description below.

Moves and steps

M1 (1 and 2), M VAR (17), M3 (4), M3 (5), M3 (8), M3 (6), M3 (11)//

M VAR (17), M3 (4 and 14), M1 (1)//

M1 (2) [M2 (3c)], M2 (3d), M VAR (17), M2 (3a), M3 (13)//

M3 (6), M VAR (15), M2 (3a), M3 (6), M3 (8)//

M VAR (16), M2 (3e), M VAR (17), M3 (6)//

M3 (5), M VAR (15), M VAR (17), M3 (6), M3 (8), M3 (6), M3 (7), M3 (5), M3 (6)//

M3 (5), M3 (6), M3 (12 and 13)//

M3 (10)

Extract	Step	Move	Comment
<p>On 22 January 2015, scientists set the Doomsday Clock to three minutes to midnight. <i>The Guardian</i> reported that ‘Climate change inaction pushes “doomsday clock” closest to midnight since 1984’.¹ The Doomsday Clock is a symbolic clock maintained by members of the Science and Security Board of the <i>Bulletin of Atomic Scientists</i>. It was initiated in 1947 to reflect the global threat of nuclear war. In 2007, climate change was added to nuclear war as one of the greatest threats to the world and mankind.² Lack of global action to address the problems of climate change was one of the reasons why the Doomsday Clock was moved from its 2012 time of 23:55 to the 2015 time of 23:57. The doomsday scenario brings an apocalyptic message about the devastating impacts climate change will have on all aspects of human life, if we continue to be complacent in addressing these problems. Such ominous prognoses establish an urgent context in which something must be done to save ourselves.</p> <p>Aside from symbolic ticking clocks, there is very real scientific evidence that climate change is having disastrous effects on many areas of life.³ News reports at the start of 2015 suggested that 2014 was likely the ‘hottest year on record’.⁴ The World Meteorological</p>	<p>1 Topic / Context</p> <p>2 Centrality</p>	<p>1</p> <p>1</p>	<p>Beginning with a reference to the ‘Doomsday Clock’, the writer introduces her topic (climate change) and highlights its importance e.g. the clock was moved from 23:55 to 23:57; “...climate change is having disastrous effects on many areas of life...” and “Recognition of the serious challenges posed by climate change impacts on all sectors and regions of the world has led to increasingly urgent calls for action to be taken.”</p>

<p>Organization noted ‘exceptional heat and flooding in all parts of the world’ in 2014.⁵ Extreme weather events, including heat, flooding, drought, and storms, are having and will continue to have devastating effects on many people’s lives, across sectors, and in many parts of the world.⁶</p> <p>The Doomsday Clock was moved forward because of perceived lack of action against climate change impacts. Recognition of the serious challenges posed by climate change impacts on all sectors and regions of the world has led to increasingly urgent calls for action to be taken. This includes measures to limit further climate change, and efforts to adapt to those consequences that are already inevitable or occurring.</p>			
<p>Naomi Klein’s most recently published book, <i>This Changes Everything: Capitalism versus the Climate</i>, is one of many publications that has contributed to fuelling public debates about climate change.⁷ Klein’s message is that while acknowledging the precarious situation in which we find ourselves, there is still hope to avoid the doomsday scenario. To prevent catastrophic climate events from proliferating and to effectively adapt to those impacts that are already occurring or inevitable, radical action must be taken.</p>	<p>17 Reference to literature</p>	<p>VAR</p>	<p>This paragraph summarises a book by Naomi Klein.</p>

In this research, I focus on the predicted consequences of climate change on food production, and particularly on the widespread contention that climate change contributes to exacerbating global hunger. I examine more specifically the role that international law plays in addressing the predicted exacerbated global hunger in the face of climate change. My focus in this study is not on climate science. Rather, it is on climate discourse, and in particular on how the ways to tackle negative impacts of climate change on food production are positioned within a setting of urgency – as reflected by the Doomsday Clock – and an imperative to take action against looming disaster – as articulated by authors such as Naomi Klein.	4 Aim / Focus	3	In this section, the writer sets out her research focus “In this research I focus on...”; “I examine more specifically...”; My focus in this study is not on...Rather, it is on...”
The central research question that I pose is what role international law plays in addressing hunger in the context of climate change.	5 Question	3	This sentence provides an explicit statement of the writer’s research question “The central research question that I pose is...”
The main argument I make in this research is that while law is often invoked as part of the solution to climate change-induced hunger, there is too little attention for the role that law plays in framing the problem. How hunger and climate change are framed as problems determines the solutions available to solve them. If we are to find effective ways to combat hunger in the face of climate change, then there must be more	8 Argument	3	In this paragraph, the writer summarises her main argument beginning with the explicit statement that “The main argument I make in this research is...”

awareness of how the problems are framed, and more particularly: how international law and legal discourse contribute to this framing.			
I address the research question and come to my conclusions about the role of law through the example of one proposed adaptation strategy, namely so-called 'climate-ready seeds'.	6 Approach	3	In this sentence, the writer explains her approach in addressing the research question i.e. through using the example of 'climate-ready seeds'.
This introduction will set out the links between climate change and hunger, introduce climate-ready seeds as a proposed means to increase food production, and suggest that law is relevant in addressing hunger and climate change.	11 Chapter Structure	3	This final sentence explains what the rest of the introduction will do and, although it does not explicitly state that this is how the introduction is structured, the list of what the introduction will do is the same as how it is structured, which is why I have labelled this Step 11.

D. Sample 4

This sample is taken from the beginning of Thesis 8. The sampled section is shown in bold in the 'moves and steps' description below.

Moves and steps

M1 (1), M3 (6), M3 (8), MVAR (17), M3 (10), M VAR (17) [M2 (3a)], M3 (10), M3 (5) [M2 (3b)], M3 (5), M3 (8), M3 (6), M3 (11)]//

M VAR (17), M2 (3f), M3 (14), M3 (8 and 10), M3 (6), M3 (10)]//

M VAR (17), M3 (8), M VAR (17)]//

M VAR (15), M VAR (17), M3 (13), M3 (4), M3 (11)]//

M1 (1), M3 (6), M3 (9)]//

M3 (12 and 13)]//

M3 (8)

Extract	Step	Move	Comment
In her lecture Crimes of War, Crimes of Peace, Catharine Mackinnon reminds us that “Behind all law is someone’s story – someone whose blood, if you look closely, leaks through the lines. It is not only in the common law that the life of the law is experienced. ” ¹ The stories of the Bosnian conflict and the horrendous crimes and atrocities which were perpetrated during this war are numerous and can be found in a range of mediums. ² This thesis focuses on two of these mediums – law and cinema.	1 Topic	1	In these opening sentences, the writer contextualises her topic
It carries out a comparative investigation into the formal legal process of a criminal trial for the prosecution of gender crimes and the representation of such crimes in film. Through a feminist analysis,	6 Approach	3	She then explains that her approach will be “a comparative investigation into...Through a feminist analysis...”
I argue that while criminal trials are an important and necessary part of the process of transitional justice; their representational and narrative capabilities are limited. I also assert that these limitations have affected the way in which women have been able to tell their stories in the courtroom and how these stories are seen and heard.	8 Argument	3	Here the writer explicitly states her argument “I argue that..”; “I also assert that...”
This research is situated within current debates between feminist scholars specialising in international criminal law and the emerging literature on law-and-film scholarship. The first of these	17 Literature Review	VAR	In this section, the writer situates her research in the literature.

strands has generated a vast quantity of literature in the past twenty years with feminist scholars writing from a variety of standpoints outlined below. The second strand is less well developed, and explores the interactions of war crimes trials and film. This literature largely focuses on the shared didactic aims of the two mediums and the power of film to spread the “shadow” of these trials.			
The originality of this thesis is its turn to the visual medium to explore and imagine different stories and accounts than that presented in the law .	Contribution 10	3	In this sentence the writer explains “The originality of this thesis...” and, as such, its contribution to knowledge.
Within feminist scholarship of international criminal justice, three main standpoints have emerged, first with the International Criminal Tribunal of the former Yugoslavia (ICTY) declaring a “triumph of justice” over the prosecution of so-called gender crimes. ³ The prosecution of those responsible for gender crimes at the international level has been termed a success and key achievement of international criminal justice. ⁴ Alongside the Tribunal’s jurisprudence on gender crimes, the key roles played by female personnel in the ICTY, the inclusion of rape in the Statute of the ICTY and the introduction of the best practices rules of procedure and evidence, have all been flagged as	17 Literature Review [3a Debate]	VAR 2	In these paragraphs, the writer describes “three main standpoints” which have emerged in the literature. This step also involves describing how the approaches differ i.e. the legal debate.

<p>important landmarks towards international accountability for crimes previously marginalised by war crimes tribunals. While the importance of these developments must not be underestimated, the declaration of a “triumph of justice” by the Tribunal sits uncomfortably with the many critiques which have emerged from feminist and other viewpoints.</p> <p>The second standpoint and major critique of the Tribunal’s work has come from critical feminist legal scholars who have called the project of prosecuting rape in war crimes proceedings into question. These scholars argue that the trials essentialise women’s experience of conflict by making wartime rape hypervisible.⁵ This claim is underpinned by the progressive narrative and belief that gender crimes are being successfully prosecuted at the international level. Thirdly, some scholars and practitioners have criticised the current prosecution strategies across the different international courts and tribunals and rules governing these international prosecutions. Some feminists go even further by arguing that the law is inherently limited and that the legal narratives which emerge from war crimes trials silence and obfuscate</p>			
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women's experiences and limit these to sexual violence.			
My thesis contributes to these debates by turning to fictional films about sexual violence perpetrated during the Bosnian conflict (1992-1995).	Contribution 10	3	Here the writer explicitly states how her thesis contributes to knowledge.
By turning to cinematic narratives, I seek to address whether this artistic medium helps to fill in some of the gendered gaps left by the law.	5 Research Questions [3b Gap]	3 [2]	In this sentence, the writer outlines one of her research questions. She also pinpoints "gendered gaps" in the law.
I also address the following research questions: do the representations of gender crimes in selected films mirror those recorded by the Tribunal? Do alternative or even subversive discourses emerge? What does film show us that the law does not let us see?	5 Research Questions	3	In this sentence, the writer explicitly states her other research questions
By bringing together the literature on gender crimes in international criminal law and the embryonic research on film and war crimes trials, I argue through a case study of the ICTY that fictional films can show us what the law is refusing or unable to make visible. These important cultural discourses can show us some of the stories which are silenced by the law. Further, the films may also become part of the way through which the Tribunal's legacy is judged in the future .	8 Argument / Conclusion	3	In these sentences the writer explains her argument "I argue through a case study of the ICTY that.."

The turn to film is grounded in feminist approaches to international law which seek to use feminist methods in their analysis.	6 Approach	3	Here the writer explains how her approach is grounded in feminism.
The sections below set out some of the methodological decisions which have been taken in this thesis: first, the focus on women, secondly, the methodology of fiction, and thirdly, the turn to cinema. The methods are explored in subsequent chapters of this thesis as set out at the end of this introduction in the thesis structure.	11 Chapter structure	3	In these sentences, the writer explains how the rest of the introduction is structured.

E. Sample 5

This sample is taken from the middle of Thesis 10. The sampled section is shown in bold in the 'moves and steps' description below.

Moves and steps

M1 (2 and 3a), M2 (3a), M1 (1), M2 (3a), M1 (1)//

M3 (13), M3 (6)//

M2 (3b), M3 (10), M VAR (17) [M2 (3b)], M3 (8), M2 (3b), M3 (8), M3 (8), M2 (3b), M3 (8), M2 (3b), M3 (8), M2 (3b), M M3 (8), 3 (3c), M3 (3b), M3 (10)//

M3 (4)//

M3 (6), M VAR (15), M3 (6 and 10), M3 (8)//

M3 (12 and 13)

Extract	Step	Move	Comment
1.1 Literature Review Although much attention has been focused on the PRC's population regulations, most studies were carried out during the 1980s and the 1990s, and mainly focused on the first stage of	3b Gap	2	This section is the start of a literature review with the introduction and the writer begins by identifying a gap in the previous literature e.g. "Although much attention

law making and its initial evolution. Little is known about the current practical situation concerning the enforcement of the PRC's population regulations at the grassroots level.			has been focused on...most studies were carried out during...and mainly focused on...Little is known about.."
This research is an effort to fill that void.	10 Contribution	3	In this sentence, the writer states her contribution to knowledge i.e. to fill a gap.
Since the end of the 1970s, extensive research has been carried out into the PRC's Population and Family Planning Law and Policy. This research has provided valuable knowledge of the origins and development of the PRC's Population and Family Planning regulations. Demographers contributed to the formulation and evolution of the PRC's population rules. ¹¹ In addition, the social consequences of these rules have also been examined by anthropologists and feminists, ¹² such as the conflicts between the Production Responsibility System and the early stage birth control policy; ¹³ and the population policy's effects on Chinese women and girls because it embodies gender inequality and gender disparity, and puts women's bodies and psychological social well-being at risk due to the mandatory implementation method, as well as leading to an unbalanced sex ratio and female infanticide, abandonment and discrimination. ¹⁴ Other effects of the	17 Literature Review [3b Gap]	VAR 2	I have labelled these 7 paragraphs as Step 17 (Literature Review). References to the literature, including some quotations, are made in footnotes and integral references. I have added Step 3b as an embedded step because the writer also makes comments such as: "...most research findings concentrate on the implementation methods at the macro state or provincial level rather than describe the actual process" and "without empirical data, most of this research can only provide general pictures rather than precise accounts." Deciding whether a step is embedded, or whether

<p>population policy have been labour shortages,¹⁵ a change in age distribution,¹⁶ a widening of the rural urban divide,¹⁷ unplanned birth,¹⁸ and changes to the personality of the single-child, the family structure and traditional Chinese culture. Furthermore, social scientists and political scientists have also discussed the political dynamics of the PRC's population rules.</p> <p>The vital part played by the <i>implementation</i> of the PRC's population rules has also been widely studied. Using translated Chinese press and radio reports, interviews with Chinese officials or analysis of official Chinese reports on fertility, most research findings concentrate on the implementation methods at the macro state or provincial level rather than describe the actual process.²⁰ These works have found that some factors are related to the implementation of China's population rules: the influence of the political system; the coercive method of birth planning and economic incentives; the Household Registration system as a unique system of government control; improved health care; education; a "dual contract" system linking family planning with agricultural production; mobilization campaigns; and/or the family planning administrative</p>			<p>steps occur in sequence is somewhat subjective. Here, I have concluded that Step 3b is embedded in Step 17 because I see reviewing the literature as the dominant step. However, in the next section, I conclude that Steps 8 and 3b occur in sequence (rather than Step 3b being embedded in Step 8) because the steps seem more equal – Step 8 is not as dominant as Step 17 is here.</p>
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<p>systems. However, without empirical data, most of this research can only provide general pictures rather than precise accounts.</p> <p>A small amount of research carried out in-depth observation studies in isolated local areas at street level in urban areas and at village and county level in rural areas. Regarding the urban areas, Milwertz published <i>Accepting Population Control</i> in 1997²¹ based on fieldwork undertaken during 1984-87 in Beijing and Shenyang. By using 'everyday life theories', Milwertz elaborated how urban city district one-child mothers experienced policy implementation, and how family planning workers interacted with these mothers, as well as the very meaning of 'acceptance'.</p> <p>Regarding the rural areas, Kaufman <i>et al.</i> did their fieldwork in four rural counties of Fujian and Heilongjiang in 1987.²² They found out that the local officials (county level family planning officials) exercised certain degrees of discretion on policy interpretation depending on the local economic situation. They concluded that economic and political changes did influence (weaken) the capacity and desire of local officials to enforce the population policy.</p>			
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Susan Greenhalgh later published several papers based on her fieldwork in Shaanxi villages. In her 1993 work,²³ she noticed the discretion of the village cadres, when they were the enforcement agency, in the enforcement of population policy. She ascertained that economic reform has an influence on the village cadres' behaviour and influences the implementation outcome. Finally, she concluded that the village cadres not only implemented the policy in an informal way but also influenced formal law making by communicating to the upper levels. In her 1994 work,²⁴ coauthored with Zhu and Li, based on the same fieldwork location of Shaanxi, she confirmed the Kaufman *et al.* finding that political pressure is the most important factor in successful population policy implementation in rural China. Later on, she modified her opinion of who was the implementing agency. In her work "Controlling Births and Bodies in Village China",²⁵ she presented the rural village women not only as victims of the population policy but also as implementing agents in practice.

Based on their fieldwork in Shaanxi and Guangdong respectively, Susan Greenhalgh (1993)²⁶ and Tyrene White (1987, 2006)²⁷ both held the opinion that the village level officers

<p>were the grassroots level cadres who enforced the state policy among the rural populace.</p> <p>‘The village cadres are firmly rooted in local society; they live in the village, they are linked to villagers by kin and friendship ties, and their livelihood is drawn from village resources.... [Therefore,] [During the period from 1950s to 1980s] when state rules have challenged profoundly held local values or threatened peasant economic security, village cadres have often tried and sometimes succeeded in bending those rules to the advantage of their relatives and neighbours.’²⁸</p>			
<p>Several conclusions can be drawn from the above review. First of all, this literature provided a detailed analysis of the implementation process at the local county and village levels, which is a valuable supplement to the general studies of population policy implementation.</p>	<p>8 Arguments / Conclusions</p>	<p>3</p>	<p>As the writer states explicitly, this paragraph contains conclusions for the section: “First of all.,”</p>
<p>However, the literature also has some critical weaknesses. Principally, most of these works were carried out during the 1980s, more than 20 years ago. Since China’s transformation from a Planned Economy to a Market Economy at the beginning of the 1990s and the introduction of more democracy in the political system,</p>	<p>3b Gap</p>	<p>2</p>	<p>Again the writer highlights a gap in the literature namely that it is over 20 years old.</p>

such as the village committee elections, the politics, culture and economics of China have changed greatly and widely compared to what Greenhalgh and Kaufman saw at that time.			
It is important to have an updated work to reflect the current situation.	8 Arguments / Conclusions	3	Here the writer makes a concluding argument although this could also be seen as an implicit statement about her study's contribution to knowledge.
Secondly, both Susan Greenhalgh and Tyrene White were of the opinion that the village level cadres, the village women leaders and the village committee members were the actual enforcement officers in rural China. However, my argument is that the grassroots level is really the township/town level rather than the village level.	8 Arguments / Conclusions	3	This continues the writer's conclusions for the section: "Secondly..,"
Neither of these two studies provided a systematic investigation of China's hierarchical government system and family planning administrative system.	3b Gap	2	Another gap in the literature i.e. "Neither of these two studies provided..."
Therefore, it is difficult to understand why village level cadres might not be the grassroots level officials even though they were involved in most law and policy enforcement. At the village level, the family planning cadres (<i>cun ji jihuashengyu zhuanguanyuan</i>) are	8 Arguments / Conclusions	3	A continuation of the writer's arguments/conclusions.

<p>directly administered by the Family Planning Office at the town level. Firstly, as Tyrene found, the main function of village cadres in terms of family planning enforcement is providing penetration and surveillance. These functions are vital to the successful enforcement of family planning but are only part of what caused compliance. The main work is carried by the township/town level family planning officers. Secondly, the village cadres do not have the authority to carry out enforcement without orders from the township/town level government or family planning office. Hence it is the township/town family planning office which is the agency authorized to ensure compliance with and enforcement of family planning. In conclusion, the village level family planning cadres are not the grassroots level agencies but rather are better described as assistants of the township/town level agencies.</p> <p>Thirdly, Kaufman's and especially Greenhalgh's work did point out that the local cadres' discretion regarding enforcement was influenced by economic and political factors. Milwertz established the interrelationships between the local family planning worker and the local women.</p>			
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However, in addition to the local women, local families, and local family planning officers, some other actors have also been involved in the implementation, such as police registration officials, hospital staff, other professionals and the media. In addition, economics, politics and culture are only part of the factors which have influenced the decision making of the local cadres. More broad factors, such as social norms, values, relationships, power structures, and standard operating systems have all influenced the decision making of the local cadres and thus in turn the enforcement outcomes.	3b Gap	2	Another gap i.e. the previous literature did not consider all of the actors involved in implementation or all of the factors involved in decision-making
Therefore, a systematic study is needed to understand the institutional environment in which the practical policy enforcing takes place.	8 Arguments / Conclusions	3	A concluding argument at the end of the paragraph which could also be seen as an implicit statement of how the writer is contributing to knowledge i.e. by providing the systematic study that is needed.
In conclusion, previous studies have mainly focused on policy implementation during the 1980s and the 1990s, and they have underestimated other institutional environments by overemphasizing the influence of economics and politics. Some important institutional factors were missing, namely the structure of	3b Gap	2	Here the writer outlines gaps in the previous research: "previous studies mainly focused on...they have underestimated...Some important institutional factors were missing..."

the organisations and the other interest groups. ³⁰			
The structure of the organisations, including the intra-government and inter-government relationships of the family planning organisations, not only determines these enforcement agencies' officials interests and pushes them in a certain direction, but also determines the fundamental decisions of the power structure in the decision making process.	8 Argument / Conclusion	3	This paragraph began with "In conclusion...". I labelled the first two sentences of the paragraph as "identifying a gap". This final sentence is more of an argument/conclusion.
Without this structural analysis, it is hard to understand the officials' behaviour during implementation and what influences their decision-making.	3c Problem	2	I have labelled this Step 3c – the lack of structural analysis makes it hard to understand officials' behaviour. It could also be seen as an implicit statement of how the study contributes to knowledge.
It is also important to emphasise that the previous studies are over 20 years old. During these 20 years, many things have changed, for example, professional opinion on population control, reproductive culture, as well as a newly developed economic and democratic environment.	3b Gap	2	In this step, the writer again pinpoints a gap in the research namely that other studies are over 20 years old.
Therefore, this study of the population policy implementation environment at the grassroots level and the discretion of local cadres will contribute to a more systematic and updated understanding of China's current state, society and family relationships.	10 Contribution	3	In this sentence, the writer explicitly states a contribution to knowledge i.e. "this study...will contribute to a more systematic and updated understanding of..."

Appendix Seven: Information Sheet & Consent Form

Information sheet

Changing Voices: a diachronic and synchronic study of legal theses written by PhD students at LSE between 1925 and 2015

Alison Standring, LSE Language Centre

Thank you for considering participating in this study which will take place in June 2019. This information sheet outlines the purpose of the study and provides a description of your involvement and rights as a participant, if you agree to take part.

1. What is the research about?

The aim of these interviews is to gain a better insight into PhD students' experiences of writing legal theses at LSE. I have a particular interest in the experiences of students who do not speak English as their first language, but I also welcome input from native speakers of English. The interviews are part of a wider study into the ways in which thesis writing at LSE has changed in the field of law since the 1920s. I am conducting the study as part of a Doctorate in Education but hope it will also have pedagogical benefits in terms of the English language support that the LSE Language Centre provides for PhD students.

2. Do I have to take part?

It is up to you to decide whether or not to take part. You do not have to take part if you do not want to. If you do decide to take part, you will be asked to sign a consent form. If you are willing to take part, I would be happy to proofread up to 5,000 words of your dissertation at a date of your choosing (although I would need at least 72 hours to complete the proofreading, and the request should be made within the next 12 months).

3. What will my involvement be?

You will be asked to take part in an interview that takes approximately 15 minutes and is based on the questions which you have been sent.

4. How do I withdraw from the study?

You can withdraw from the study at any point until 31st August 2019 without having to give a reason. If any questions during the interview make you feel uncomfortable, you do not have to answer them. Withdrawing from the study will have no effect on you. If you withdraw from the study I will not retain the information you have given thus far, unless you are happy for me to do so.

5. What will my information be used for?

I will use the information from the interview in the dissertation I am writing as part of a Doctorate in Education personally identified. The information may also be used in any conference presentation, report or journal article developed as a result of the research.

6. Will my taking part and my data be kept confidential? Will it be anonymised?

The records from this study will be kept as confidential as possible. Only me and my supervisor will have access to the files and any audio tapes. Your data will be anonymised – your name will not be used in any reports or publications resulting from the study.

7. What if I have a question or complaint?

If you have any questions regarding this study please contact Alison Standring on A.Standring@lse.ac.uk If you are happy to take part in this study, please sign the consent sheet attached.

CONSENT FORM

Changing Voices: a diachronic and synchronic study of legal theses written by PhD students at LSE between 1925 and 2015

Alison Standring

PARTICIPATION IN THIS RESEARCH STUDY IS VOLUNTARY

I have read and understood the study information dated 01/06/2019 or it has been read to me. I have been able to ask questions about the study and my questions have been answered to my satisfaction.	YES / NO
I consent voluntarily to be a participant in this study and understand that I can refuse to answer questions and that I can withdraw from the study at any time up until 31 st August 2019, without having to give a reason.	YES / NO
I agree to the interview being audio recorded	YES / NO
I understand that the information I provide will be used for the researcher's dissertation and that the information will be anonymised.	YES / NO
I agree that my anonymised information can be quoted in research outputs.	YES / NO
I understand that any personal information that can identify me – such as my name, address, will be kept confidential and not shared with anyone.	YES / NO

Please retain a copy of this consent form.

Participant name:

Signature: _____ Date _____

Interviewer name:

Signature: _____ Date _____

For information please contact: Alison Standring A.Standring@lse.ac.uk

Appendix Eight: Semi-Structured Interviews

The transcripts below exclude hesitations, repetitions, and/or information that was not relevant to the questions (such as small talk at the beginning and end of each interview) or biographical information which would clearly have identified the speaker. Nonetheless, the transcripts are an accurate record of what the interviewees said.

Interview One:

1. *What is your first language?*

Italian. As probably you can tell by my accent, I am Italian.

2. *How do you feel about writing in English? Do you write differently in English compared to your first language?*

For me, I like writing in English, especially when writing about law. For me, law requires precision, consistency, clearness and, in my opinion, English language is more suited for that. I have the impression to write differently in English compared to Italian, my first language. In Italian I use longer, more structured sentences; I also tend to use words that are not common in spoken Italian. My English is simple, but also for this reason, easier to understand.

3. *Have you had any feedback from your supervisors about your use of language?*

Yes, they generally agree that my written English is good. They do some proofreading on my text sometimes and this is very helpful. Usually it's small things like forgetting to put 'the' and sometimes they can suggest different words or to rewrite something so that it is clearer.

4. *Have you been given (or read) advice on how to write your thesis? If so, what advice did you find most useful? If not, what advice would you find helpful?*

Yes, I have attended seminars and read a couple of books. The most useful advice regards the structure of the thesis: how many chapters, how to structure a single chapter, short sentences, etc. For me that's very helpful.

5. *How have you developed your academic writing style?*

Mostly I look at how people write, like my supervisors, and copy them. I sometimes look online for information like how to use a new word, or if I have a question about grammar. When I was an undergraduate I took some writing courses and that was helpful.

6. *How do you access most of your reading materials e.g. online, in the library, a combination of both, other?*

Nearly everything online – it's much more convenient but sometimes I work in the library just for a different scene, a change of scene.

7. *What referencing style do you use?*

Oscola. That's what I was told to use by my supervisor.

8. *Which aspect of reading and/or writing are you finding most challenging and why?*

I don't have any particular problems in reading. On the other hand, writing can be more challenging. I find quite hard the very first moment, when I have, in front of me, the blank page and many confused ideas in my mind.

9. *In your view, what makes an effective thesis introduction?*

For me, it should be concise, clear, straight to the point and with an intriguing exposition of the general argument of the thesis. A chapter outline is also very useful.

Interview Two:

1. *Is English your first language?*

Yes, but I speak Swahili too. I'm from Kenya so I use both languages.

2. *Have you had any feedback from your supervisor about your use of language?*

Yes. I have been asked to use less flowery language and advised to be cautious on the use of adjectives in my academic writing. So, now I'm making a big effort with that but it can be difficult – it's not easy to change your style or at least not for me.

3. *Have you been given (or read) advice on how to write your thesis? If so, what advice did you find most useful? If not, what advice would you find helpful?*

Yes. In my first year, I was given different authorial styles to compare or assimilate and advised to read Umberto Eco's classic on writing a PhD.

4. *Did you find that helpful?*

I thought it was interesting. I'm not sure it was so helpful for me on a practical level. I mean it gives advice about ways of doing investigations and different demands that can arise. It encourages you to be confident. I think it's a good book. I'd recommend it but it was written a while ago – I think in the 70s – so some things have changed.

5. *How have you developed your academic writing style?*

Mostly, I've patterned my style on academic writers I admire and I'm trying not to use as many adjectives!

6. *How do you access most of your reading materials e.g. online, in the library, a combination of both, other?*

A bit of both really. A lot of resources are online now but I also need materials which are only in the archives.

7. *What referencing style do you use?*

I use Oscola. That's the British one I was told in my first year.

8. Which aspect of reading and/or writing are you finding most challenging and why?

The introductory and scene setting bits. I spend too much time perfecting them to gain the reader's interest, but I am also constantly debating how much to cover before getting into the analytical or argumentative bits of my chapters. I also tend to rewrite sections to keep my sentences succinct and impactful.

9. In your view, what makes an effective thesis introduction?

That it engages the reader's interest. Really I'd say that's the main thing for me as a reader and also what I try to do in my own writing.

Interview Three:

1. Is English your first language?

No, I'm Bulgarian

2. How do you feel about writing in English? Do you write differently in English compared to your first language?

There are minor differences. In both languages I have been told to experience identical difficulties though - the structure of my sentences is too convoluted, some words are difficult to understand in their context, I write too long when it could be said in simpler terms.

3. Have you had any other feedback from your supervisor about your use of language?

I have been told that my writing has improved significantly during the last 4 years. It could be due to my not using my native language at all, even at home, and to my reading in English only. I think that's made a big difference.

4. Have you been given (or read) advice on how to write your thesis? If so, what advice did you find most useful? If not, what advice would you find helpful?

I have not been given any advice. I think that the most important thing is to read a lot in English and if you have some doubt about the usage of a word, you should check how this particular word was used in a book. Now this is quite an easy task when you have almost all of your books in pdf and you can find any word easily.

5. How have you developed your academic writing style?

Like I said. I think reading is the best way.

6. How do you access most of your reading materials?

Now online. Almost everything online.

7. What referencing style do you use?

Harvard. That's what I have always used. .

8. Which aspect of reading and/or writing are you finding most challenging and why?

Remembering new rare words - even if I look them up in the dictionary today, I would forget about them in a month; Also, when to use indefinite articles. For me, that's hard.

9. *In your view, what makes an effective thesis introduction?*

That is a question which I can discuss in a considerable length, but the most important thing is to grab the interest of your reader, to persuade her that your thesis explores an important question and to explain why you can make the best contribution to the legal scholarship by exploring this issue.

Interview Four:

1. *Is English your first language,*

No, it's French but I'm Canadian so I'm used to English.

2. *how do you feel about writing in English? Do you write differently in English compared to your first language? Please explain.*

I feel comfortable writing in English, particularly at an academic level. I feel less comfortable speaking it, particularly in front of larger crowds. Then, I feel more comfortable in French.

3. *Have you had any feedback from your supervisor about your use of language?*

Yes. I've been given positive feedback. My supervisor says I write well. Of course, there's always room for improvement.

4. *Have you been given (or read) advice on how to write your thesis? If so, what advice did you find most useful? If not, what advice would you find helpful?*

Yes, I took some "Academic English" classes at LSE – I believe it was at the Language Centre – when I did my LLM in 2014-2015. I cannot remember what I found the most useful, but I thought it was a useful course in general. I also received general advice on how to write in legal terms during my undergraduate studies in law at McGill University, between 2009 and 2013. Tips included "point-first writing", referencing, that sort of thing.

5. *What's "point-first writing"?*

The idea is to be clear and start with the main point, not to give a lot of background detail first. So, basically, state your point or proposition before you develop or discuss it...writing is not like an Agatha Christie novel where you wait until the end for the conclusion. You start with the main point and then develop it. It's like turning a mystery novel upside down and taking away the suspense.

6. *And what referencing style do you use.*

At McGill we used the McGill style and that's what I'm comfortable with now.

7. *How have you developed your academic writing style?*

Mostly reading I suppose and courses like the ones we've talked about have been helpful. Also feedback from people. That's always helpful.

8. *How do you access most of your reading materials e.g. online, in the library, a combination of both, other?*

A fairly equal combination of online and in the library.

9. *Which aspect of reading and/or writing are you finding most challenging and why?*

The more substantive part. So, for example, developing a clear argument and thesis. What I find particularly challenging is finding my own voice and distinguishing myself from the other writers, from the existing literature.

10. *In your view, what makes an effective thesis introduction?*

A concise, three-prong introduction so that's 'introducing the topic', prong one; a clear thesis or arguments, prong 2; and a clear paper outline, prong 3. For example, "This paper will be divided in three parts..." Basically a typical French-language structure: *sujet amené; sujet posé; sujet divisé*.

Interview Five:

1. *Is English your first language?*

Yes.

2. *Have you had any feedback from your supervisor about your use of language?*

Not exactly - we do talk occasionally about writing style and structuring generally, but this is really more about the effect on the reader, fluidity of writing, rhetorical effect and that kind of thing; it's not about developing an 'academic' prose style, but more taking some inspiration from good non-academic non-fiction and fiction authors. Because I'm at the Law Department, I think there's possibly more leeway to think about the place of rhetoric and style than perhaps in some more straight-forwardly social science disciplines.

3. *Have you been given (or read) advice on how to write your thesis? If so, what advice did you find most useful? If not, what advice would you find helpful?*

Quite a bit of both given and read advice, some of it through teaching others about research theses. I think the most useful advice is writing as you research; it is perhaps not as efficient as the successive steps of 'reading, note-taking, structuring, writing' process that some people use, but I think getting text on the page really helps to chip away at the thesis as a big project, making it manageable, and can avoid the panic of thinking you don't have any real text, and need to instead do manic periods of writing. Another point is that good writing is all about revision -- no one does anything good on the first attempt; the text has to be worked over carefully, multiple times, before it will be really finished.

4. *How have you developed your academic writing style?*

Mostly b - I've patterned my style on academic writers I admire. I have two supervisors – they are both great writers. So, I look at them. I look at other people who write well and I try to emulate that in the best way I can but I know I need my own style too. I need to find my own voice. That can be a challenge. How to do that.

5. *How do you access most of your reading materials e.g. online, in the library, a combination of both, other?*

Mostly online but also lots of scanned pdfs of print works.

6. *What referencing style do you use in your writing?*

The style for law is Oscola so that's what I use. It's a footnoting style.

7. *Which aspect of reading and/or writing are you finding most challenging and why?*

Nothing in particular, which is more to say just all of it in general. I find it fairly easy to read lots, write lots of draft text, then revise it, but that process does just take a long time and there are no shortcuts for me or anyone else; so perhaps the most challenging thing is finding and developing the patience to let the work take as long as it needs, not to get frustrated when things aren't quite falling into place, and to just keep working at it without worrying that it's not good, and to remember that it's just 'not -- yet -- good' because that comes when you've revised it a few times.

8. *In your view, what makes an effective thesis introduction?*

I agree with what is probably the mainstream view that it must declare a problem in the world or the academic field or both, explain why it is interesting and important, state and explain the thesis's answer to that problem and its contribution to the field, and then describe the structure that will follow. But going beyond that, I think it is really important to draw the reader in and make sure they are excited to read what follows and understand the stakes and importance of the work (without going overboard on that importance). Making sure the introduction conveys to the reader that they are in safe, competent hands is probably the most important thing (which means revising it carefully and making sure everything is crystal clear, possibly by leaving the messier details for thesis itself), and not just for the purposes of examination but also for a wider readership.

“Interview” Six: (I did not meet with this ‘interviewee’ instead he/she responded electronically to the questions I sent).

1. *Is English your first language?*

No, is my primary language.

2. *How do you feel about writing in English?*

It is the language I have always written in academically.

3. *Have you had any feedback from your supervisor about your use of language?*

Occasionally missing 'the'. Also, occasionally using incorrect tenses.

4. *Have you been given any advice on how to write your thesis?*

No specific advice.

5. *How have you developed your writing style?*

By writing. Writing and feedback. The supervisor is important. Reading too. I think mostly it's by doing writing, getting feedback and reading a lot – really a lot. We have to read a lot and that gives ideas for vocabulary and writing style.

6. *What referencing style do you use?*

OSCOLA - Oxford Standard for Citation of Legal Authorities

7. *Which aspect of reading and/or writing are you finding most challenging and why?*

Condensing and removing repetition; it's challenging because almost everything I write feels repetitive to me since I have been working on my thesis for so long

8. *In your view, what makes an effective thesis introduction?*

For me, catching readers' interest; contextualising the problem and providing the big picture.

“Interview” Seven: (I did not meet with this ‘interviewee’ instead he/she responded electronically to the questions I sent).

1. *Is English your first language?*

Yes.

2. *If English is not your first language, how do you feel about writing in English? Do you write differently in English compared to your first language? Please explain.*

It is my first language.

3. *Have you had any feedback from your supervisor about your use of language? If so, please give an example?*

Not specific to my use of language.

4. *Have you been given (or read) advice on how to write your thesis? If so, what advice did you find most useful? If not, what advice would you find helpful?*

Yes, early on as part of our PhD programme.

5. *How have you developed your academic writing style? (You can respond in more than one way).*

I've patterned my style on academic writers I admire.

6. *How do you access most of your reading materials e.g. online, in the library, a combination of both, other?*

Online.

7. *What referencing style do you use?*

Harvard.

8. *Which aspect of reading and/or writing are you finding most challenging and why?*

I've had to learn a new field in finance and risk management, that's been the most challenging.

9. *In your view, what makes an effective thesis introduction?*

Contextualising the topic and indicating the steps of the arguments to the thesis

Appendix Nine: Survey

These three questions were sent to all members of the LSE Law Department currently supervising PhD students (25 in total). The survey was deliberately kept short to encourage completion. I received responses from six supervisors. When these responses are referred to in my dissertation, I refer to them as SR1-SR6.

1. *Are you happy for students to use the first person (I, me, my) when they write?*

- a) Yes = 5
- b) No = 2
- c) Other = 1

Comment from 'other': Only in some contexts, e.g. setting up the argument in an introduction or at a point where the student's argument turns on a certain normative commitment that not all reasonable people would accept.

2. *How would you describe the ideal writing style for a doctoral thesis?*

- 1. Elegant with clarity
- 2. Rigorous, clear, accessible.
- 3. Careful, meticulous, precise.
- 4. Sharp but flowing; technically accurate and analytically precise; engaging, not necessarily in terms of style (like a good journalist) but in terms of being able to sustain an argument. Tricky question, as writing style is bound up with dissertation topic, narrative structure, and author's personality. Personality has to shine through, but must not dominate.
- 5. Clear - with as much Anglo-Saxon as possible within the significant constraints imposed on that by legal language!
- 6. Written in clear, short sentences, so that the style doesn't get in the way of the point; driven by questions rather than answers; charitable to existing literature; patient.
- 7. Authoritative; engaged; emotionally detached.
- 8. Precise, matter-of-fact, favouring clarity over artifice

3. *What are the main difficulties the students you supervise have in terms of language, especially if English is not their mother tongue?*

- 1. Finding a voice

2. Over-reliance on the 3rd person (eg 'it will be shown')
3. Editing in order to ensure precise and accurate use of language and grammar.
4. Nothing to do with native tongue. Often non-natives write much better than natives, as they have learned how to construct sentences. Legal writing is a craft, it's artificial, it needs to be constructed. Natives need to learn this as much as non-natives. In fact, it is often the natives who are disadvantaged as they never learned legal writing and use colloquialisms etc that are out of place in a dissertation
5. Most of the PhD students I have supervised have not had English language as their first language and I have had no serious difficulties beyond a little subediting.
6. My supervision experience is limited to the two PhD students I have this year. The main difficulties have been stylistic (e.g. poor use of words, clunky expression), but overall the level is reasonably good.
7. Structuring the work in a way that works for the PhD; clear exposition of writer's ideas; credible connections between chapters making them not only effective individually but part of a whole.
8. My PhD students are all native speakers. Their main challenge is economising (not relying on unnecessary crutches such as starting sentences too often with 'in other words', using active tense when possible, finding the best suited term rather than a lengthy description). For non-native graduate students, I often note difficulties in striking the right tone (e.g., either too formal 'henceforth, one must heed ... ' or, more frequently, too informal 'the law says it's ok ... '). Also, distinguishing between its and it's, your and you're, than and then, is a lost art.

Appendix Ten: Analysing the Interviews

A: Samples of familiarisation notes

Example of familiarisation notes from Interview 1

- Is positive about writing in English
- Sees English as being suited for law because it is precise, consistent & clear
- Writes differently in English to Italian
 - o Uses shorter sentences and simpler vocabulary & so feels her written English is easy to understand
 - o Feels she has greater vocabulary range & can write more complex sentences in her L1
- Has had positive feedback from her supervisors regarding English – suggestions tend to be surface level e.g. articles, alternative words
- Has read some books on thesis writing and been to some seminars
- Has mostly developed her style through copying other writers
- Looks online for grammar or how to use new words
- Attended a writing course as an UG
- Mostly accesses materials online but uses the library for a ‘change of scene’
- Has no particular problems with reading but finds it hard to start writing on a blank page & talks about having many confused ideas
- Sees being clear & concise as important in an introduction
- Cites engaging the reader through an ‘intriguing exposition’ as important in an introduction
- Says giving an overview of the general argument is seen as part of a good introduction.
- Believes providing a chapter outline is seen as ‘useful’ but not essential in an introduction

Example of familiarisation notes for the dataset

- English is the main language for most writers either because it is their L1, because they categorise themselves as (nearly) bilingual, or because it is the primary (or only) language they write in academically.
- Respondents have mixed emotions about writing in English; some are comfortable and have received positive feedback from supervisors; others find it more challenging.
- Some respondents feel that they write differently in English from their L1; others say that they face similar challenges whether writing in English or in their L1.
- Most writers comment on sentences being shorter and simpler in English.
- Most writers comment on vocabulary being simpler and less 'flowery' in English.
- Being clear, concise and not repetitive when writing in English is seen as important.
- Some writers discussed making minor surface level mistakes (e.g. with articles or tenses) but most seemed more concerned with style/structure.
- Some respondents spoke about writing in their discipline, noting that English is well suited to law or that writing in law may be different from other disciplines.
- All writers access materials online although, as one interviewee noted, this includes scanned pdfs. Two use an equal amount of materials online and from the library with one needing to access material from the archives.
- One writer noted the challenge of learning a new academic field,
- Two writers noted that they find introductions hard with one finding 'scene setting' difficult and the other spending too much time trying to gain readers' attention and not being sure how much to cover before beginning argumentation
- One writer noted that it is hard to find a voice and be distinct from other writers; also developing a clear argument and thesis.
- One writer noted that writing is easy but revising takes a long time and it is important to be patient, keep working and remember it will become good after multiple revisions.
- For introductions the following are seen as important:
 - Being clear, concise & well-structured
 - Engaging/persuading the reader
 - Giving context and an overview of the general argument
 - Providing a chapter outline
- Other elements of an introduction that were mentioned are:
 - stating the importance of topic
 - stating contribution to knowledge

B: A sample of analysis related to the research question of whether thesis structures and themes changed (RQ1) and the more specific research question of whether the rhetorical structures of thesis introductions has changed

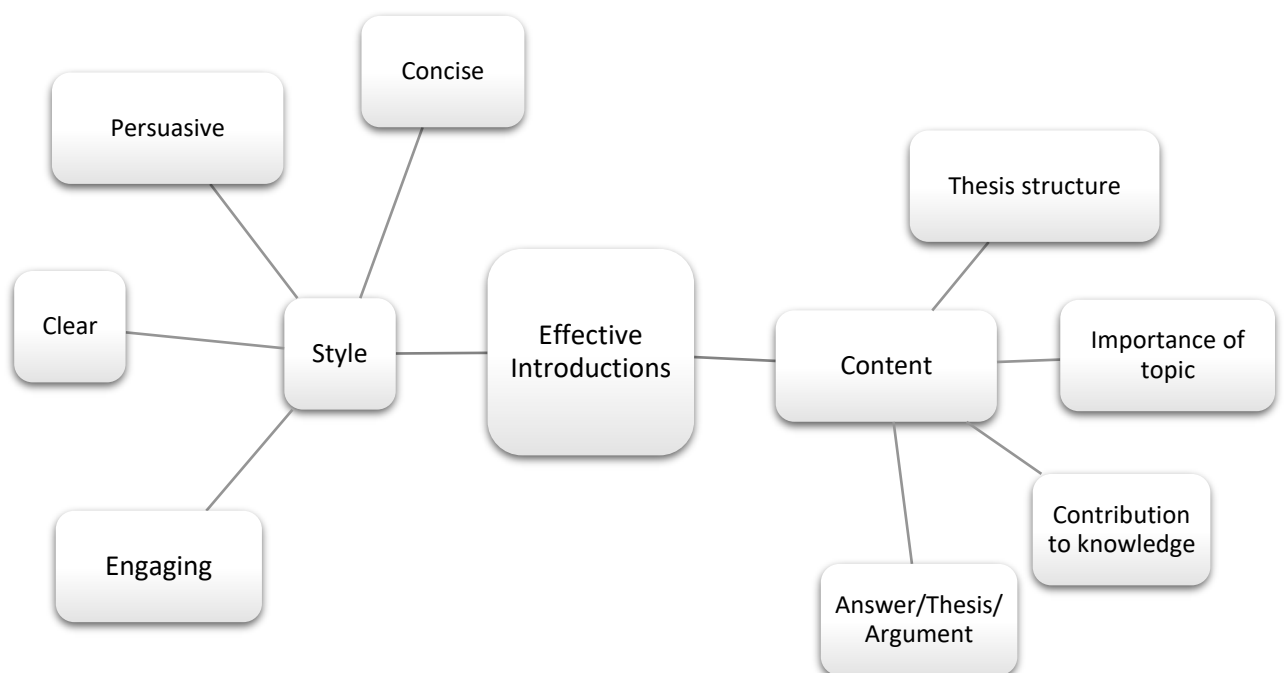
Step One: Colour Coding

1. INTERVIEW 1 It should be concise, clear, straight to the point and with an intriguing exposition of the general argument of the thesis. A chapter outline is also very useful.
2. INTERVIEW 2 That it engages the reader's interest.
3. INTERVIEW 3 That is a question which I can discuss in a considerable length, but the most important thing is to grab the interest of your reader, to persuade her that your thesis explores an important question and to explain why you can make the best contribution to the legal scholarship by exploring this issue.
4. INTERVIEW 4 A concise, three-prong introduction so that's introducing the topic, prong one, a clear thesis or argument(s), prong two, and a clear paper outline, prong three. For example, "This paper will be divided in three parts...". Basically, a typical French-language structure: sujet amené; sujet posé; sujet divisé.
5. INTERVIEW 5 I agree with what is probably the mainstream view that it must declare a problem (in the world or the academic field or both), explain why it is interesting and important, state and explain the thesis's answer to that problem and its contribution to the field, and then describe the structure that will follow. But going beyond that, I think it is really important to draw the reader in and make sure they are excited to read what follows and understand the stakes and importance of the work (without going overboard on that importance). Making sure the introduction conveys to the reader that they are in safe, competent hands is probably the most important thing (which means revising it carefully and making sure everything is crystal clear, possibly by leaving the messier details for the thesis itself), and not just for the purposes of examination but also for a wider readership.
6. INTERVIEW 6 For me, catching readers' interest; contextualising the problem and providing the big picture
7. INTERVIEW 7 Contextualising the topic and indicating the steps of the arguments to the thesis

Step Two: Summary

- a) Concise (2 out of 7)
- b) Clear (3 out of 7)
- c) Engaging (4 out of 7)
- d) Context (3 out of 7)
- e) Structure (4 out of 7)
- f) Persuade the reader (2 out of 7)
- g) Importance of topic (2 out of 7)
- h) Contribution to knowledge (2 out of 7)
- i) Answer/Thesis/Argument (2 out of 7)

Step Three: Themes



Appendix Eleven: Personal Asides and Shared Knowledge

A: Personal Asides

The lexical ‘personal asides’ listed by Hyland (2016, p. 41) were investigated through corpus analysis. Namely: *by the way* (0 hit) and *incidentally* (1 hit in the historical corpus). Most ‘personal asides’ were marked off from the surrounding text using parentheses, commas, or dashes and were revealed through a combination of corpus searches and re-reading. In total, 6 examples (out of 34,941 words) were found in the historical corpus (1.7 per 10,000 words) and 1 example (out of 59,780 words) was found in the modern corpus (0.2 per 10,000 words). Note: a ‘personal aside’ is “*neither grammatically or rhetorically related to the surrounding sentence and adds little to the argument or to the propositional development of the text. Instead, it is an explicit intervention of the writer to engage the reader*” (Hyland & Jiang, 2016, p. 37).

Examples of ‘personal asides’ from the historical corpus:

1. *The Parliament of Great Britain, **it is true**, has not, according to the principles of public law, any authority to legislate for foreign vessels on the high seas, ...* (McCown, 1938)
2. *It could, **it is true**, only do this by a personal order directed to the seller, but that was as far as it could possibly go in enforcing any right.* (Finlay, 1938)
3. *The first of those Spaniards to give an account of his travels in the East **and incidentally a description of certain places in Iran**, was not, however, an adventurer in the strict sense of the word.* (Dechan, 1938)
4. *But change is the invariable characteristic of all human life, and whatever may have given rise to the conceptions of territorial sovereignty it is certain that it is an inseparable accompaniment of the feudal system established so firmly in England after the Norman conquest (**Maine describes it as “an offshoot though a tardy one of feudalism”**) and that the colonial rivalry which set in amongst the nations of Western Europe after the discovery of America greatly assisted to establish it as a dominant principle of International Politics, and as such it played a substantial part in the discussions which resulted in the group of treaties consisting in the peace of Westphalia signed in 1649 from which date full and complete sovereignty within territorial limits may be regarded as a dominant and essential factor of European Politics.* (Watson, 1927)

5. *And when it did, it was not, **curiously enough**, the right other res itself that was so held, but rather the right to enforce performance of the contract.* (Finlay, 1938)
6. *Further, as it appears to me, **(and in this I agree with C.J.Friedrich)** the significance of the juridical category of the contract is easily over-emphasised.* (Neumann, 1936)

Example of ‘personal aside’ from the modern corpus:

1. *Two things quickly became apparent when — **PhD proposal accepted** — I began to research the topic further.* (Chadwick, 2015)

B: Shared Knowledge

Corpus searches were conducted for the lexical items listed by Hyland (2016, p.40) and McGrath (2012 p.172). The items found are shown below.

	TOTAL NUMBER		PER 10,000 WORDS	
	Historical	Modern	Historical	Modern
Apparently	4	1	1.1	0.2
As a rule	1	0	0.3	0.0
Commonly	3	3	0.9	0.5
Conventional	3	1	0.9	0.2
It is known	0	1	0.0	0.2
Naturally	6	1	1.7	0.2
Normally	2	3	0.6	0.5
Obviously	3	0	0.9	0.0
Of course	4	12	1.1	2.0
Prevailing	0	1	0.0	0.2
Traditional	0	4	0.0	0.7
Typical	1	1	0.3	0.2
Typically	0	11	0.0	1.8
Usual	1	0	0.3	0.0
Well-known	3	1	0.9	0.2
TOTAL	31.0	40.0	8.9	6.7

Note: all items needed to be considered in context before being accepted. To illustrate:

- a) In this example, the word ‘usual’ is an appeal to shared knowledge as the reader is expected to share an understanding with the writer about what is ‘usual’ in terms of Great Britain’s magnitude to exercise territorial jurisdiction.

*In effect, both of these judgments achieved the same result, as both asserted the power of Great Britain to exercise territorial jurisdiction over a bay of more than **usual** magnitude. (McCown 1938)*

- b) In this example, the word 'usual' is not an appeal to shared knowledge as the writer tells the reader that a 'six-year limitation period' is usual. The reader is not expected to independently know what the usual limitation period is.

*The question arose whether a claim for knowing receipt was subject to the **usual** six-year limitation period...(Agnew, 2015)*

- c) In this example, the word 'traditional' is an appeal to shared knowledge as the reader is expected to share an understanding with the writer about what 'traditional coping mechanisms' are. These mechanisms are not made explicit.

*Climate change, however, interacts with and exacerbates existing socio-economic and environmental constraints and will gradually overwhelm **traditional** coping mechanisms. (Willcox, 2015)*

- d) In this example, the word 'traditional' is not an appeal to shared knowledge as, after referring to 'China's traditional culture', the writer explains to the reader what that 'traditional culture' is i.e. 'a culture of pronatalism and son-preference'.

*Because of China's **traditional** culture of pronatalism and son-preference, the implementation of this rule in practice highlights some of the fundamental and crucial issues in law implementation in general more than any other legislative initiative in China. (Zhang, 2015)*

- e) In this example, the word 'obviously' is an appeal to shared knowledge, or possibly beliefs, as to what is desirable.

The procedure still permits the courts to exercise a mild control over internationally invalid state legislation by means of restrictive interpretation a

*practice **obviously** desirable in a world where international obligations are all too easily evaded. (McCown, 1938)*

- f) In this example, the word ‘obviously’ is not an appeal to shared knowledge; the writer is telling the reader the most obvious link between intellectual property law and assumptions on how to address hunger. The writer is not expecting the reader to share knowledge about what is ‘obvious’.

*Intellectual property law allows for the application of patent rights on seeds, and is relevant most **obviously** to the fifth assumption. (Saab, 2015)*

Appendix Twelve: Direct Questions and Directives

A: Direct Questions

To investigate the use of direct questions, I searched each word document for question marks (?) and then read through the texts to ensure no direct questions had been missed. The results are shown below:

Thesis	TOTAL NUMBER		PER 10,000 WORDS	
	Historical	Modern	Historical	Modern
1	2	1	3.7	1.0
2	0	8	0.0	18.9
3	8	0	9.2	0.0
4	0	0	0.0	0.0
5	0	7	0.0	13.5
6	0	0	0.0	0.0
7	1	17	4.3	21.2
8	2	3	2.2	4.5
9	0	1	0.0	6.4
10	2	0	6.1	0.0
TOTAL	15	37	2.6	6.5

As a sample of the types of direct questions found in the corpora, I list 15 from each corpus. This represents all of the direct questions from the historical corpus and a random selection from the modern corpus.

Examples from the historical corpus (including two questions in French).

1. *And – from a practical standpoint, even more important – if a rule of international law comes into conflict with a statutory regulation, what action will be taken by the national courts? (McCown, 1938)*
2. *And what were the sources of this natural law? (Lauterpacht, 1926)*
3. *But how to explain the actual similarity of rules, for instance, that between the law of private contracts and of international treaties? (Lauterpacht, 1926)*
4. *De quelle autorité dépendent les détroits du Bosphore et des Dardanelles ? (Bulmer, 1925)*
5. *How is it possible to give third parties a right of action on contracts made for their benefit? (Finlay, 1938)*
6. *How is the natural state to be described in order to justify either the domination of the state, or the freedom from its interference? (Neumann, 1936)*

7. *In settling a dispute, does the court apply an international rule, as such, or is that provision regarded as funding only a particular branch of the national jurisprudence? (McCown, 1938)*
8. *Is the notion of succession a general conception of all jurisprudence? (Lauterpacht, 1926)*
9. *May private law rules be introduced at all in this field of relations so different from those obtaining between individuals under the reign of municipal law? (Lauterpacht, 1926)*
10. *May these concepts be introduced into international public law and if so, may the rules emanating from them be applied in the same manner as they are in private law? (Lauterpacht, 1926)*
11. *Qui en est le détenteur? (Bulmer, 1925)*
12. *What private law is to be applied in these cases? (Lauterpacht, 1926)*
13. *What rules are here to apply if treaties do not provide for them and if there is no custom forthcoming to fill up the gap? (Lauterpacht, 1926)*
14. *What was the influence of Chancery practice in the general development of the law of contract in England, and, in particular, on the treatment of contracts at common law?" (Finlay, 1938)*
15. *Why should it be resorted to when one or both parties have nothing or little in common with that system of law? (Lauterpacht, 1926)*

Examples from the modern corpus :

1. *Do alternative or even subversive discourses emerge? (Yoshida, 2015)*
2. *Do the representations of gender crimes in selected films mirror those recorded by the Tribunal? (Yoshida, 2015)*
3. *Given this, why should other states shoulder the burdens associated with hosting or otherwise assisting displaced atoll island populations, particularly where this interferes with their own territorial integrity or their own people's self-determination? (Willcox, 2015)*
4. *How do we ensure that people do not go hungry as a result of failing crop yields?(Saab, 2015)*
5. *How do we reach or obtain this moral consciousness?(Agnew, 2015)*
6. *How will we achieve this increase in production? (Saab, 2015)*
7. *Is this a promising strategy, however, when the constitutive role of law and the state in facilitating the operations of the market is taken into account? (Chadwick, 2015)*
8. *There are currently around 10 million stateless people worldwide — why narrow our focus arbitrarily to those islanders rendered stateless by climate change inundation? (Willcox, 2015)*
9. *To what extent is regulation the best strategy when the role of law and the state in constituting markets for food commodities is taken into account? (Chadwick, 2015)*

10. *What does film show us that the law does not let us see? (Yoshida, 2015)*
11. *What is significant about law that makes it worthwhile exploring its role as separate from these other considerations? (Saab, 2015)*
12. *What role does law play in finding ways to address the problem of hunger in the context of climate change? (Saab, 2015)*
13. *what strategies are devised to deal with these problems? (Saab, 2015)*
14. *What then happens to society when that price becomes a tradable financial asset, bought and sold by those who have no interest, or even awareness, that what they are trading is food at all? (Chadwick, 2015)*
15. *Why does that operate, predominantly, to produce doubt about the role of speculation and not doubt about the tools used to analyse it? (Chadwick, 2015)*

B: Directives

To investigate the use of directives, I searched for imperatives such as:

<i>Assume</i>	<i>Let's</i>	<i>Recall</i>
<i>Consider</i>	<i>Observe</i>	<i>See</i>
<i>Compare</i>	<i>Note</i>	<i>Suppose</i>
<i>Contrast</i>	<i>Notice</i>	<i>Think of</i>
<i>Imagine</i>	<i>Picture</i>	<i>Use</i>

Necessity modals such as:

<i>Should</i>	<i>Need(s) to</i>	<i>Must</i>
<i>Ought</i>	<i>Have/Has to</i>	

And, phrases using 'it is...' such as:

<i>It is critical to</i>	<i>It is imperative to</i>	<i>It is obligatory to</i>
<i>It is crucial to</i>	<i>It is important to</i>	<i>It is required to</i>
<i>It is essential to</i>	<i>It is necessary to</i>	<i>It is vital to</i>

The directives found are shown below.

	TOTAL NUMBER		PER 10,000 WORDS	
	Historical	Modern	Historical	Modern
assume	0	3	0.0	0.5
it is crucial	1	0	0.3	0.0
it is important	0	6	0.0	1.0
it is interesting to note	2	0	0.6	0.0
it is necessary	1	1	0.3	0.2

it is significant	0	1	0.0	0.3
it is useful	1	0	0.3	0.0
let us	2	0	0.6	0.0
see*	0	0	0.0	0.0
take	0	1	0.0	0.2
we must	1	1	0.3	0.2
we should	0	7	0.0	1.0
Total	8	20	2.3	3.3

- *Note, although 'see' is not used as a directive within the main body of the text, it is a frequent directive in footnotes with 261 examples in the modern corpus (albeit 0 examples in the historical corpus).*

As always, language had to be examined in context to ensure that the lexical items searched for in the corpus were actually used as directives in the text.

Examples of directives in the corpora (up to three examples for each directive found).

- ***Assume** I take my neighbour's car without permission. (Agnew, 2015)*
- ***Assume** further that society regards the taking of another's property without permission as theft and therefore immoral but I do not believe in private property as a moral good. (Agnew, 2015)*
- ***Assume** S wishes to create an express trust over the sum of £100 in favour of B, with T as trustee. (Agnew, 2015)*
- ***It is crucial here** that we take advantage of the dynamic, responsive character of international law in order to ensure that it remains relevant and continues to 'make a difference. (Willcox, 2015)*
- ***It is important**, however, to be clear about the limits of the thesis. (Willcox, 2015)*
- *The quest for meaning has largely been overlooked but **it is important** in order that we may consider properly 'the philosophical foundations and principled interpretation of conscience' in private law. (Agnew, 2015)*
- *Because the ideas of unconscionability and unconscientiousness are used so much in law, **it is important** to distinguish them from related concepts such as bad faith, dishonesty and unreasonableness. (Agnew, 2015)*
- ***It is interesting to note** that although this latter principle had not been expressly sanctioned by French law, it was considered of sufficient validity to override two rules which*

had already received public recognition as foreign part of France jurisprudence. (McCown, 1938)

- With respect to the former point **it is interesting to note** that the incorporation of rules of international law into Acts of Parliament has been fairly rare, and Holland correctly draws attention to the fact that such legislation cannot be taken as a precise measure of international duties and rights of England. (McCown, 1938)
- At the outset **it is necessary** to make perfectly clear what is meant by Extraterritorial jurisdiction or Extraterritoriality...(Watson, 1927)
- **It is necessary** to at least partly understand why freedom of religion is protected. (Pearson, 2014)
- **It is necessary** to show that the conscience of the party who seeks to uphold the transaction was affected by notice, actual or constructive, of the impropriety by which it was obtained. (Agnew, 2015)
- ...in absolute terms, **it is significant**, raising far-reaching questions about statehood, sovereignty, territory and belonging.
- The same writer quotes the definition of Prof. Moore which as bringing out the main features of Extraterritoriality as exercised at the present time **it is useful** to note. (Watson, 1927)
- **Let us** now examine in turn the opinion of writers, the practice of nations, and the treaties that exist with reference to this matter. (Lauterpacht, 1926)
- For the sake of argument **let us** suppose that international law enjoins the security of person and property of those residing in foreign countries. (Lauterpacht, 1926)
- **Take** someone who for reasons dictated by her own moral convictions refuses to conform to a rule or regulation, such as one that requires her to fight in a foreign war. (Agnew, 2015)
- **We must** remember that even Hale and Blackstone regarded contract only as a means of acquiring ownership and possession. (Finlay, 1938)
- ...**we must** consider what role law plays in framing the problem and setting the contours within which solutions are found. (Saab, 2015)
- **We should** be careful though not to overly simplify or misinterpret this controversy. (Pearson, 2014)
- ...**we should** be able to reject some demands... (Pearson, 2014)
- ...**we should** take the time to think through the implications. (Willcox, 2015)

Appendix Thirteen: Hedges, Boosters and Attitude Markers

A list of the 'boosters' which were investigated. This list is adapted from ones found in Hyland (2004) and Estaji & Vafaeimehr (2015, p. 56). The words in bold were found after closer reading of the texts and were not on the lists from Hyland (2004) or Estaji & Vafaeimehr (2015, p. 56).

	TOTAL NUMBER		PER 1,000 WORDS	
	Historical	Modern	Historical	Modern
actually	5	2	0.1	0.03
always	14	10	0.4	0.17
assured(ly)	0	0	0.0	0.00
at least	12	18	0.3	0.30
certain that	1	0	0.0	0.00
certainly	3	3	0.1	0.05
certainty	0	1	0.0	0.02
clear(ly)/it is clear	5	13	0.1	0.22
conclude	1	1	0.0	0.02
conclusive(ly)	1	1	0.0	0.02
confirm	0	0	0.0	0.00
convince	0	0	0.0	0.00
convincingly	0	0	0.0	0.00
couldn't	19	1	0.5	0.02
decided(ly)	1	0	0.0	0.00
definite(ly)	0	2	0.0	0.03
demonstrate	1	7	0.0	0.12
determine	0	0	0.0	0.00
doubtless	0	0	0.0	0.00
easily	4	5	0.1	0.08
evident(ly)	5	12	0.1	0.20
expect	0	0	0.0	0.00
given that	0	6	0.0	0.10
impossible(ly)	8	6	0.2	0.10
in fact	10	13	0.3	0.22
inevitably	0	1	0.0	0.02
is essential	0	0	0.0	0.00
it is known that	0	0	0.0	0.00
manifest(ly)	0	0	0.0	0.00
more than	14	9	0.4	0.15
must	54	38	1.5	0.64
necessarily	8	5	0.2	0.08
never	16	4	0.5	0.07

no doubt	2	1	0.1	0.02
obvious(ly)	4	6	0.1	0.10
of course	4	10	0.1	0.17
particularly	7	31	0.2	0.52
patently	0	0	0.0	0.00
perceive	0	0	0.0	0.00
percise(ly)	2	11	0.1	0.18
plain(ly)	0	1	0.0	0.02
prove	2	0	0.1	0.00
quite	5	1	0.1	0.02
reliable(ly)	0	0	0.0	0.00
show	3	2	0.1	0.03
strongly	2	2	0.1	0.03
sure(ly)	1	0	0.0	0.00
surmise	0	0	0.0	0.00
the fact that	16	11	0.5	0.18
truly	8	1	0.2	0.02
unambiguous(ly)	0	0	0.0	0.00
unarguabl(y)	0	0	0.0	0.00
undeniabl(ly)	0	0	0.0	0.00
undoubted(ly)	3	1	0.1	0.02
unequivocal(ly)	1	1	0.0	0.02
unmistakable(ly)	0	0	0.0	0.00
unquestionable(ly)	0	0	0.0	0.00
we find	1	0	0.0	0.00
we know	0	4	0.0	0.07
well-known	3	1	0.1	0.02
widely	3	8	0.1	0.13
will	41	136	1.2	2.28
without question	0	0	0.0	0.00
won't	7	6	0.2	0.10
wouldn't	5	3	0.1	0.05
wrong(ly)	2	0	0.1	0.00
	304.0	395.0	8.7	6.6

Appendix Fourteen: Reporting Verbs

Reporting verbs in the modern corpus	Modern	Historical
accept	1	2
according to	12	1
account for	1	0
acknowledge	4	4
add	1	3
admit	0	2
adopt	0	2
advance	3	0
advise	0	1
advocate	1	3
affirm	1	1
afford	0	1
agree	0	2
allege	0	2
answer	0	2
appear	0	2
apply	1	2
approach	1	0
argue	37	3
arise	1	0
articulate	5	0
ascertain	1	0
ascribe	0	1
ask	1	0
assert	2	2
assess	1	0
assume	1	0
attempt	0	1
be consistent	1	2

Reporting verbs in the modern corpus	Modern	Historical
be consistent	0	1
be emphatic	0	1
be entitled to	1	0
be inclined	0	1
be of the opinion	1	0
be surprised	0	1
believe	1	1
bring	0	1
call	6	0
call for	2	0
call upon	0	2
carry out	2	0
categorise	1	0
cause	0	1
challenge	4	0
characterise	1	0
cite	2	2
claim	6	2
coauthor	1	0
comment	2	0
compare	2	0
concede	0	2
conceive	0	1
concern	2	0
conclude	2	0
confine	0	1
confirm	2	0
confront	0	1
connect	0	1

Reporting verbs in the modern corpus	Modern	Historical
consider	0	5
consider	5	0
contend	1	1
continue	0	1
contribute to	2	0
create	0	1
credit	1	0
criticise	0	1
criticise	4	0
deal with	0	4
decide	1	1
declare	0	3
deem	0	1
defeat	1	0
defend	0	1
define	6	0
delineate	1	0
demonstrate	3	0
denounce	0	1
deny	2	4
depict	2	0
deprecate	0	1
describe	16	3
designate	1	0
develop	5	1
deviate	1	0
devote	1	0
differ	1	0
differentiate	1	0

Reporting verbs in the modern corpus	Modern	Historical
disagree with	0	1
discard	0	1
disclaim	1	0
discuss	1	4
distance	1	0
distinguish	2	0
do	1	0
do not fail	0	1
draw attention to	0	2
draw attention to	3	0
echo	4	0
elaborate	1	1
emphasize	6	0
employ	1	0
enact	0	1
encourage	1	0
enumerate	0	1
enunciate	0	2
establish	2	1
estimate	2	0
evidence	1	0
exacerbate	1	0
examine	4	0
explain	7	2
explore	1	0
express	5	3
extend	2	0
fail to	0	1
find	5	5

Reporting verbs in the modern corpus	Modern	Historical
focus	3	0
follow	0	3
forbid	1	0
frame	1	0
give a lead	0	1
give a right	1	0
give an account of	0	2
give an example of	1	0
give an insight into	1	0
give attention to	1	0
give expression to	0	1
give remedy	0	1
go as far as to	0	1
go further	1	0
hand down	2	0
have cause to	1	0
hesitate	0	2
highlight	7	0
hold	11	13
identify	9	1
imply	1	0
incorporate	1	0
indicate	4	0
influence	4	0
insist	1	0
interpret	2	0
introduce	0	1
is of the opinion	0	1
is subject to	1	0

Reporting verbs in the modern corpus	Modern	Historical
issue	2	0
lay down	0	2
link	1	0
list	1	0
look beyond	1	0
look to	3	0
maintain	2	1
make	2	1
make clear	2	0
make explicit	1	0
make use of	0	2
mean	1	3
mention	0	1
mention	0	1
modify	1	0
move toward	1	0
narrate	1	0
note	8	0
notice	1	0
object	0	1
observe	5	0
obtain	0	1
occupy	0	1
open	0	1
opine	1	0
oppose	2	0
organised	1	0
overcome	0	1
overturn	1	0

Reporting verbs in the modern corpus	Modern	Historical
pay attention to	0	1
pay regard to	0	1
perceive	1	0
perform	1	0
persist	0	1
place emphasis on	1	0
play	0	1
point out	5	10
point to	2	0
pose the question	1	0
posit	3	0
predict	2	0
present	4	0
proclaim	1	0
profess	0	1
prohibit	5	0
project	1	0
propose	1	0
protect	2	0
provide	2	0
publish	2	0
put	8	3
put forward	1	2
quash	1	1
question	3	0
quote	0	2
raise	2	0
raise questions	1	0
read	4	1

Reporting verbs in the modern corpus	Modern	Historical
receive	0	1
recognise	4	3
refer	8	0
refuse	0	5
refute	1	0
regard	2	11
reignite	1	0
reject	2	6
remain	0	1
remark	2	3
remind	2	0
repeal	1	0
report	4	0
repudiate	0	1
request	1	0
require	3	0
require	0	1
respond	2	0
reveal	1	0
rule	1	0
sanction	1	22
see	1	1
seek	7	0
seem	0	3
serve	1	0
shape	1	0
share	0	1
show	1	2
shrink from	0	1

Reporting verbs in the modern corpus	Modern	Historical
simplify	0	1
sound	0	1
speak	0	2
speak to	1	0
specify	2	0
state	11	8
struggle	1	0
succeed	0	1
suggest	16	0
summarise	0	1
take cognisance of	0	1
take into account	0	1
take pains to	0	1
talk	1	0
tell	5	0
term	2	0
think	0	1
try	0	1
turn to	1	0
underline	1	0
underpin	1	0
underscore	2	0
understand	0	1
undertake	1	0
uphold	1	0
urge	0	2
use	6	3
view	1	0
voice discontent	1	0

Reporting verbs in the modern corpus	Modern	Historical
wish to	2	0
work	1	0
write	1	8